

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

FORTY-FIFTH DAY'S PROCEEDINGS

**Twenty-Ninth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, June 19, 2003

The Senate was called to order at 9:00 o'clock A.M., by Hon. John Hainkel, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—39		

ABSENT

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Rev. Theodore Jennison, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Lambert, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

June 19, 2003

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 19—

BY REPRESENTATIVE FRITH

A JOINT RESOLUTION

Proposing to amend Article V, Section 23(B) of the Constitution of Louisiana, to authorize a judge who reaches the mandatory retirement age of seventy prior to finishing his term of office to complete that current term; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 43—

BY REPRESENTATIVE STRAIN

AN ACT

To enact R.S. 42:1113(D)(2)(f), relative to certain prohibited contractual arrangements; to allow a legislator, person who has been certified by the secretary of state as elected to the legislature, or spouse of a legislator or person who has been certified as elected to the legislature, or any corporation, partnership, or other legal entity in which such a person owns any interest to donate certain professional services to public entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 65—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Civil Code Article 2628, relative to immovable property; to provide for the reduction of terms for options and rights of first refusal exceeding ten years; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 332—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 42:1123(24), relative to contractors; to provide relative to governmental ethics; to provide for exceptions; to provide relative to the members of the State Licensing Board for Contractors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 360—

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 42:1119(C)(5), relative to the Code of Governmental Ethics; to provide for reemployment of retirees whose employment complies with provisions of such code relative to nepotism on the date of retirement; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 443—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit the employment of allied health professionals who are members of the immediate family of a member of the parish governing authority or a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and hospital public trust authorities; to provide relative to the employment of physicians and registered nurses who are immediate family members of such persons; to provide limitations; to provide for recusal; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 540—BY REPRESENTATIVE SCHWEGMANN
AN ACT

To enact R.S. 46:333(D), relative to operation of concessions in public buildings; to provide for operation of concessions by blind persons; to provide for the exemption of certain facilities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 558—BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 56:434.1, relative to public oyster seed grounds; to create the Public Oyster Seed Ground Development Account; to provide for revenues and expenditures; to provide for administration of the account; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 601—BY REPRESENTATIVES BOWLER, BRUNEAU, LANCASTER, PITRE,
SNEED, AND WALSWORTH
A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to add Article XII, Section 15, relative to administrative law; to authorize the legislature to provide by law for the creation, duties, and powers of a system of administrative law, for the employment, qualifications, and authority of administrative law judges, and with respect to appeals by governmental agencies seeking review of administrative decisions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 662—BY REPRESENTATIVES BRUNEAU AND HUNTER
A JOINT RESOLUTION

Proposing to amend Article V, Section 24 of the Constitution of Louisiana, to provide for the qualifications of office for judges of the supreme court, courts of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction; to provide for submission of the proposed amendment to the electors; to provide for an effective date; to provide for applicability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 664—BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 13:3049(B)(1)(b) and (2)(a) and to enact R.S. 13:3049(B)(1)(e), relative to jury service in criminal and civil trials; to increase the daily compensation for serving on a jury; to increase the jury filing fees in civil cases to the clerk of court; to increase the amount deposited into the registry of the court; to provide for an additional fee in criminal cases; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 783—BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit any local governing authority to appoint any one of its members to certain boards, commissions, and entities under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 787—BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 42:1123(32), relative to ethics; to permit the Metropolitan Council for the city of Baton Rouge and the parish of East Baton Rouge to appoint any one of its members to certain boards, commissions, and entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1052—BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 44:4(15), relative to public records; to provide for the applicability of the public records law exception regarding certain records of the office of risk management and similar records of certain municipalities and parishes; to provide for the application of the exception to an attorney representing the state, municipality, or parish; to provide that members and committees of the legislature may obtain certain information from the office of risk management for certain purposes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1116—BY REPRESENTATIVE LANDRIEU
AN ACT

To enact R.S. 49:214.16, relative to coastal restoration; to establish the America's WETLAND Way across coastal Louisiana; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1157—BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 17:3997(F), relative to the Northwood Preparatory High School, to provide for duties of the State Board of Elementary and Secondary Education regarding the development, and administration of a claims process for former employees of the Northwood Preparatory High School to receive unpaid wages and benefits; to authorize and provide for the payment of certain claims; from certain monies provided to the Tangipahoa Parish School Board pursuant to cooperative endeavor with the state which monies may be used for payment of claims under certain circumstances; to provide for conditions for effectiveness; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1173—BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:326.5, relative to taking of bowfin; to provide for a minimum size for taking of bowfin; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1287—BY REPRESENTATIVE PERKINS
AN ACT

To enact R.S. 42:1123(32), relative to the Code of Governmental Ethics; to allow certain volunteer firemen and law enforcement officers and legal entities in which they have any interest to engage in certain transactions under jurisdiction of their agencies; to provide restrictions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1387—
BY REPRESENTATIVE LANCASTER
AN ACT

To enact R.S. 49:964.1 and 992(H), relative to judicial review of adjudications; to provide for the payment of attorney fees and court costs; to provide for a report of such payments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1416—
BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 42:1123(22), relative to exemptions from the conflicts of interest laws; to provide for an exemption for mayors and members of a governing authority to enter in certain transactions in municipalities with a population of three thousand five hundred or less; to require a municipality to submit a plan for such transactions to the Board of Ethics for approval; to provide for the requirements of such plan; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1568—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 17:3396.4(A)(2), (3), (4), (5), (6), (7), (9), and (11), relative to the board of directors of the Research Park Corporation; to allow certain members to have designees; to provide for the election of certain members; to allow such members certain limited recusal under certain circumstances; to provide for the application of certain provisions of the Code of Governmental Ethics under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1657—
BY REPRESENTATIVES HONEY, CURTIS, HUDSON, AND MORRELL
AND SENATOR HOLDEN
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(introductory paragraph) and (xii), to provide relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide applicability; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1679—
BY REPRESENTATIVE BROOME
AN ACT

To enact R.S. 42:1123(32), relative to exceptions to the Code of Governmental Ethics; to provide for any person who has a contract for advertising services with the Department of Culture, Recreation and Tourism to enter into contracts with any other person who engages in a transaction with the Department of Culture, Recreation and Tourism; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1733—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2277(3) and to enact R.S. 30:2272(10), (11), and (12) and 2277(5), relative to liability for hazardous substance remedial action; to provide relative to such liability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1804—
BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 42:1119(C)(5), relative to nepotism; to provide that nepotism provisions of the Code of Governmental Ethics shall not apply to the employment of volunteer firefighters or to decisions regarding such employment; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1810—
BY REPRESENTATIVES BEARD AND SHAW AND SENATOR
ELLINGTON
AN ACT

To amend and reenact R.S. 40:1299.36, 1299.36.1, and 1299.36.2 and to repeal Section 3 of Act No. 788 of the 1999 Regular Session of the Legislature, relative to human cloning; to prohibit human cloning; to provide for definitions; to provide for exceptions; to provide for criminal penalties; to repeal the termination date of provisions that prohibit human cloning; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1815—
BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact R.S. 42:1123(31) and to enact R.S. 42:1119(2)(c), relative to governmental ethics; to provide for an exception from the code of ethics for a former school board member who is a certified school psychologist to be employed by his former school board as a certified school psychologist; to provide for an exception to the nepotism provisions of the code of ethics for uncertified teachers in certain circumstances; to provide limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1837—
BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 42:1123(18), relative to governmental ethics; to permit licensed physicians who are cardiologists and who are serving on the board of commissioners of hospital service districts in parishes with a population of forty-five thousand or less to contract with a hospital over which the board exercises jurisdiction; to allow such a physician board member to have an ownership interest in an entity that contracts with the hospital over which the board exercises jurisdiction; to provide for such member's recusal from certain transactions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1931—
BY REPRESENTATIVES CAZAYOUX, JOHNS, AND WALSWORTH
AN ACT

To enact R.S. 9:5605.1, relative to attorneys; to provide for the theft of client funds; to provide for the recovery of client funds; to provide for prescription; to provide for the admissibility of certain evidence; to provide for the award of attorney fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2003 (Substitute for House Bill No. 396 by Representative Baldone)—
BY REPRESENTATIVES BALDONE, ODINET, AND JACK SMITH AND
SENATOR DUPRE

AN ACT

To amend and reenact R.S. 56:325.3(A)(1) and (C), relative to commercial fishing; to provide for open season, quotas, and allowable gear for the taking of spotted sea trout; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Lambert, the Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 219 by Representative Montgomery:

Representatives Montgomery, Schneider and Gallot.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1468 by Representative Schwegmann:

Representatives Schwegmann, Pierre and Doerge.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 927 by Representative Guillory:

Representatives Guillory, Durand and Hunter.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 623 by Representative Thompson:

Representatives Thompson, Hill and Kenney.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 826 by Representative Johns:

Representatives Johns, Bowler, and Walker.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 905 by Representative Schneider:

Representatives Schneider, Daniel and Bruneau.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 201 by Representative Walker:

Representatives Walker, Broome and Walsworth.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1331 by Representative Winston:

Representatives Winston, Johns and Downer.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 995 by Representative LaFleur:

Representatives LaFleur, Schneider and Murray.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1009 by Representative Schwegmann:

Representatives Schwegmann, Martiny and Hebert.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Appointment of Conference Committee
on House Bill No. 501

The President of the Senate appointed on the Conference Committee on House Bill No. 501 the following members of the Senate: Senators Bajoie, Johnson and Heitmeier.

Appointment of Conference Committee
on House Bill No. 927

The President of the Senate appointed on the Conference Committee on House Bill No. 927 the following members of the Senate: Senators Schedler, Mount and Hines.

Appointment of Conference Committee
on House Bill No. 1021

The President of the Senate appointed on the Conference Committee on House Bill No. 1021 the following members of the Senate: Senators Lentini, Chaisson and Holden.

Appointment of Conference Committee
on Senate Bill No. 917

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to Senate Bill No. 917: Senator Hollis, vice Senator Heitmeier.

Appointment of Conference Committee
on Senate Bill No. 917

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to Senate Bill No. 917: Senator Fontenot, vice Senator McPherson.

Appointment of Conference Committee
on Senate Bill No. 70

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 70: Senators Heitmeier, Gautreaux and Chaisson.

Appointment of Conference Committee
on Senate Bill No. 260

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 260: Senators Bajoie, Ellington and Smith.

**Appointment of Conference Committee
on Senate Bill No. 340**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 340: Senators Barham, Irons and Bajoie.

**Appointment of Conference Committee
on House Bill No. 334**

The President of the Senate appointed on the Conference Committee on House Bill No. 334 the following members of the Senate: Senators Smith, Ellington and Hoyt.

**Appointment of Conference Committee
on House Bill No. 622**

The President of the Senate appointed on the Conference Committee on House Bill No. 622 the following members of the Senate: Senators Hollis, Boissiere and Heitmeier.

**Appointment of Conference Committee
on House Bill No. 1009**

The President of the Senate appointed on the Conference Committee on House Bill No. 1009 the following members of the Senate: Senators Lentini, Chaisson and Irons.

**Appointment of Conference Committee
on House Bill No. 1147**

The President of the Senate appointed on the Conference Committee on House Bill No. 1147 the following members of the Senate: Senators Schedler, Cravins and Irons.

**Appointment of Conference Committee
on House Bill No. 1331**

The President of the Senate appointed on the Conference Committee on House Bill No. 1331 the following members of the Senate: Senators Ellington, Dean and Schedler.

**Appointment of Conference Committee
on House Bill No. 1437**

The President of the Senate appointed on the Conference Committee on House Bill No. 1437 the following members of the Senate: Senators Tarver, Boissiere and Malone.

**Appointment of Conference Committee
on House Bill No. 1468**

The President of the Senate appointed on the Conference Committee on House Bill No. 1468 the following members of the Senate: Senators Romero, Hines and Bajoie.

**Appointment of Conference Committee
on House Bill No. 1934**

The President of the Senate appointed on the Conference Committee on House Bill No. 1934 the following members of the Senate: Senators Ellington, Dupre and Dardenne.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 94—

BY SENATOR LAMBERT

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana on the death of Bridget Anne Legendre Darlington.

On motion of Senator Lambert, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 95—

BY SENATOR HOLDEN

A RESOLUTION

To commemorate the 50th anniversary of the 1953 Baton Rouge bus boycott as a landmark event.

On motion of Senator Holden, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 96—

BY SENATOR ELLINGTON

A RESOLUTION

To urge and request the Board of Regents, in collaboration with the boards of supervisors of the Louisiana State University System, the Southern University System, and the University of Louisiana System, to study the feasibility of requiring students who pursue a degree in political science to participate in the electoral process as a poll commissioner as part of the degree requirement.

On motion of Senator Ellington, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 97—

BY SENATOR FIELDS

A RESOLUTION

To commend and congratulate Reverend Theodore J. Jemison on the fiftieth anniversary of the Baton Rouge bus boycott for his dedicated leadership and successful efforts in the civil rights movement.

On motion of Senator Hainkel, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 145—

BY SENATORS SMITH, ELLINGTON, BILL JONES, AND REPRESENTATIVES KENNEY, TOWNSEND, WRIGHT, HUNTER, GALLOT, AND FANNIN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to support federal motor fuels tax credits for diesel and gasoline refined from wood bio-mass.

The resolution was read by title. Senator Smith moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie

Fields
Fontenot

Lentini
McPherson

Barham	Gautreaux	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Malone
Cravins	Holden	Marionneaux
Total—6		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Senator Lambert in the Chair

SENATE CONCURRENT RESOLUTION NO. 146—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Health and Hospitals to refrain from adopting certain rules or regulations concerning hospitals, including but not limited to, certain proposed rules and regulations the notice of intent of which appears in the May edition of the *Louisiana Register*.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Holden	Marionneaux
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 147—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To invite the Honorable M. J. "Mike" Foster, Governor of Louisiana to address a joint session of the legislature.

The resolution was read by title. Senator Hainkel moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Holden	Marionneaux
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 258—

BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

To commend and congratulate Mary Margaret Hamilton for her years of service to Louisiana's energy sector as one of the pipeline industry's most effective spokesmen before the Louisiana Legislature.

HOUSE CONCURRENT RESOLUTION NO. 259—

BY REPRESENTATIVE K. CARTER

A CONCURRENT RESOLUTION

To request the State Board of Elementary and Secondary Education to study the issue of requiring teachers to complete a minimum

number of hours of continuing teacher education each year in order to maintain certification.

HOUSE CONCURRENT RESOLUTION NO. 260—

BY REPRESENTATIVES DOERGE, ALARIO, HAMMETT, AND MCDONALD

A CONCURRENT RESOLUTION

To urge and request the Louisiana Tax Commission to adopt rules and regulations to be followed by the state's assessors to delay the implementation of changes regarding the homestead exemption in response to findings by the Louisiana Legislative Auditor until after the 2004 Regular Session of the Legislature.

HOUSE CONCURRENT RESOLUTION NO. 261—

BY REPRESENTATIVES GALLOT AND DOWNS AND SENATOR B. JONES

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Louise Benson Page Faulk of Ruston.

HOUSE CONCURRENT RESOLUTION NO. 262—

BY REPRESENTATIVES FLAVIN, GUILLORY, JOHNS, MORRISH, STELLY AND SENATORS MOUNT AND THEUNISSEN

A CONCURRENT RESOLUTION

To commend CEO Bill Willis, and the physicians, nurses and administrative personnel and staff of the Women and Children's Hospital in Lake Charles upon being named "Hospital of the Year" by Triad Hospitals, Inc.

HOUSE CONCURRENT RESOLUTION NO. 263—

BY REPRESENTATIVE SCHWEGMANN AND SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to have the University of New Orleans develop a plan to establish and operate a university laboratory middle school, known as the New Millennium Laboratory School, and to report its plans and recommendations to the House Committee on Education and the Senate Committee on Education by not later than March 1, 2004.

HOUSE CONCURRENT RESOLUTION NO. 264—

BY REPRESENTATIVE SCALISE AND SENATOR HOLLIS

A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to form a Subcommittee on Science and Technology to study science and technology issues, to seek ways to increase research and development and the availability of seed capital, to develop incentives to encourage investment, and to facilitate interactions among interested persons.

HOUSE CONCURRENT RESOLUTION NO. 265—

BY REPRESENTATIVE DEVILLIER

A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality, the office of conservation within the Department of Natural Resources, and the oil spill coordinator's office within the office of the governor to test, analyze, and evaluate the use of innovative products manufactured in Louisiana to remediate oil spills, and to urge and request the Department of Economic Development to review and recommend available funding sources, such as loans and grants, which would assist such Louisiana manufacturers of such products in establishing their businesses.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent

Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 258—

BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

To commend and congratulate Mary Margaret Hamilton for her years of service to Louisiana's energy sector as one of the pipeline industry's most effective spokesmen before the Louisiana Legislature.

The resolution was read by title. Senator Bajoie moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Marionneaux
Holden	Tarver
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 259—

BY REPRESENTATIVE K. CARTER

A CONCURRENT RESOLUTION

To request the State Board of Elementary and Secondary Education to study the issue of requiring teachers to complete a minimum number of hours of continuing teacher education each year in order to maintain certification.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 260—

BY REPRESENTATIVES DOERGE, ALARIO, HAMMETT, AND MCDONALD

A CONCURRENT RESOLUTION

To urge and request the Louisiana Tax Commission to adopt rules and regulations to be followed by the state's assessors to delay the implementation of changes regarding the homestead exemption in response to findings by the Louisiana Legislative Auditor until after the 2004 Regular Session of the Legislature.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE CONCURRENT RESOLUTION NO. 261—
BY REPRESENTATIVES GALLOT AND DOWNS AND SENATOR B. JONES

A CONCURRENT RESOLUTION
To express the condolences of the Legislature of Louisiana upon the death of Louise Benson Page Faulk of Ruston.

The resolution was read by title. Senator B. Jones moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Malone
Bajoie	Fontenot	McPherson
Barham	Gautreaux	Michot
Bean	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullio
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Holden	Jones, CD
Cravins	Hollis	Marionneaux
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 262—
BY REPRESENTATIVES FLAVIN, GUILLORY, JOHNS, MORRISH, STELLY AND SENATORS MOUNT AND THEUNISSEN
A CONCURRENT RESOLUTION

To commend CEO Bill Willis, and the physicians, nurses and administrative personnel and staff of the Women and Children's Hospital in Lake Charles upon being named "Hospital of the Year" by Triad Hospitals, Inc.

The resolution was read by title. Senator Mount moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	McPherson
Bajoie	Gautreaux	Michot
Barham	Heitmeier	Mount
Bean	Hines	Romero
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Lambert	Ullio
Ellington	Lentini	
Fields	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Holden	Marionneaux
Cravins	Jones, CD	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 263—
BY REPRESENTATIVE SCHWEGMANN AND SENATOR IRONS
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to have the University of New Orleans develop a plan to establish and operate a university laboratory middle school, known as the New Millennium Laboratory School, and to report its plans and recommendations to the House Committee on Education and the Senate Committee on Education by not later than March 1, 2004.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 264—
BY REPRESENTATIVE SCALISE AND SENATOR HOLLIS
A CONCURRENT RESOLUTION

To urge and request the Joint Legislative Committee on the Budget to form a Subcommittee on Science and Technology to study science and technology issues, to seek ways to increase research and development and the availability of seed capital, to develop incentives to encourage investment, and to facilitate interactions among interested persons.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 265—
BY REPRESENTATIVE DEVILLIER
A CONCURRENT RESOLUTION

To urge and request the Department of Environmental Quality, the office of conservation within the Department of Natural Resources, and the oil spill coordinator's office within the office of the governor to test, analyze, and evaluate the use of innovative products manufactured in Louisiana to remediate oil spills, and to urge and request the Department of Economic Development to review and recommend available funding sources, such as loans and grants, which would assist such Louisiana manufacturers of such products in establishing their businesses.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Finance.

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 2029 from the Committee on Health and Welfare.

HOUSE BILL NO. 2029 (Substitute for House Bill No. 989 by Representative Townsend)—
BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 37:1041, 1042(A) and (C), 1046(B) and (C), 1048(3) and (4), 1050, 1051(A) and (C)(1), 1057, 1058, 1063(introductory paragraph), (1), and (2), and 1064(B) and (C), to enact R.S. 37:1041(A) and (B), 1042(D) and (E), 1048(5) and (6), 1049(6), 1063(B), (C), and (D), and 1064(F)

and R.S. 44:4(37), and to repeal R.S. 37:1063(9), (10), and (11), relative to optometry; to provide for the public purpose; to provide for a limitation from liability; to provide for travel, hearings, and subpoena authority; to provide for licensure fees, violations, and civil penalties; to provide for exception to the public records law; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 937, was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator Heitmeier asked for and obtained a suspension of the rules and recommitment House Bill No. 458 from the Committee on Local and Municipal Affairs to the Committee on Transportation, Highways, and Public Works.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 142 from the Committee on Education.

SENATE CONCURRENT RESOLUTION NO. 142—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the boards of supervisors of the Louisiana State University System, the Southern University System, and the University of Louisiana System, to study the feasibility of requiring students who pursue a degree in political science to participate in the electoral process as a poll commissioner as part of the degree requirement.

The resolution was read by title. Senator Ellington moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Holden
Cravins	Marionneaux
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution, and ordered it sent to the House.

Rules Suspended

Senator Theunissen asked for and obtained a suspension of the rules for the purpose of recalling House Concurrent Resolution No. 257 from the Committee on Education.

HOUSE CONCURRENT RESOLUTION NO. 257—

BY REPRESENTATIVES THOMPSON, BAUDOUIN, BRUCE, DEVILLIER, AND ILES

A CONCURRENT RESOLUTION

To urge and request the United States Department of Agriculture (USDA) to include Louisiana schools and farmers in its Farm-to-School Program.

The resolution was read by title. Senator Theunissen moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Thomas
Fontenot	Lentini	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Boissiere	Holden
Bean	Cravins	Marionneaux
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution, and ordered it returned to the House.

Rules Suspended

Senator Thomas asked for and obtained a suspension of the rules for the purpose of recalling Senate Resolution No. 80 from the Committee on Health and Welfare.

SENATE RESOLUTION NO. 80—

BY SENATOR THOMAS

A RESOLUTION

To direct the Department of Health and Hospitals to continue to provide a variety of service options for the developmentally disabled citizens of Louisiana.

On motion of Senator Thomas, the resolution was read by title and adopted.

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Concurrent Resolution No. 144 from the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 144—
BY SENATOR SCHEDLER**A CONCURRENT RESOLUTION**

To direct the secretary of the Department of Health and Hospitals and the commissioner of administration to begin construction of a new central laboratory for the office of public health in New Orleans at the University of New Orleans Research and Technology Park, such laboratory having the capacity to be designated as a Level 3 laboratory by the Centers for Disease Control, in order to protect the public health and to enable the state to test and analyze emerging biological and chemical agents.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Holden
Bean	Marionneaux
Total—4	

The Chair declared the Senate had adopted the Senate Concurrent Resolution, and ordered it sent to the House.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Concurrent Resolutions on
Third Reading
and Final Passage**

The following House Concurrent Resolutions on third reading and final passage were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 155 (Substitute
for House Concurrent Resolution No. 53 by Representative
LaFleur)—**

BY REPRESENTATIVE LAFLEUR

A CONCURRENT RESOLUTION

To amend the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors rule (LAC 46:LXI.105(A)), which includes a definition of the phrase "practice of land surveying", by adding a Paragraph (e) to such definition; to authorize owners of agricultural land or their employees to prepare their own topographical maps for

certain specified purposes; and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

On motion of Senator Adley, the resolution was read by title and returned to the Calendar, subject to call.

HOUSE CONCURRENT RESOLUTION NO. 190—

BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To suspend the provisions of Louisiana Code of Criminal Procedure Article 895.4 to the extent that those provisions authorize any agency which is certified as a crime stopper organization by any chief of any law enforcement agency other than a sheriff or a chief of a municipal police department to receive any funds from the additional cost of court imposed by Code of Criminal Procedure Article 895.4 other than funds which are derived from the cases which are investigated, developed, and referred to prosecution by those agencies.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Reengrossed House Concurrent Resolution No. 190 by Representative Martiny

AMENDMENT NO. 1

On page 3, after line 2, insert the following:

"BE IT FURTHER RESOLVED that this suspension shall become effective upon adoption of this Resolution and shall extend through the sixtieth day after final adjournment of the 2004 Regular Session of the Legislature of Louisiana."

On motion of Senator Lentini, the amendments were adopted.

The resolution was read by title. Senator Lentini moved final passage of the amended resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Jones, B
Dardenne	Marionneaux
Total—4	

The Chair declared the amended resolution was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the resolution was passed and laid the motion on the table.

Rules Suspended

Senator Irons asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Concurrent Resolutions
to be Adopted, Subject to Call**

The following House Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Irons asked that House Concurrent Resolution No. 196 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 196—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study issues relative to school entrance age requirements, including but not limited to the advantages and disadvantages of requiring that children be six years old prior to September thirtieth to enter the first grade, and to submit a written report of its findings and recommendations to the House Committee on Education and the Senate Committee on Education prior to the beginning of the 2004 Regular Session.

The resolution was read by title. Senator Irons moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	McPherson
Barham	Heitmeier	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Bean	Marionneaux
Bajoie	Hines	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Called from the Calendar

Senator Irons asked that House Concurrent Resolution No. 197 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 197—

BY REPRESENTATIVE HUTTER

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with the Board of Supervisors of Community and Technical Colleges, to study all aspects of the effect on community colleges of full implementation at the state's public baccalaureate degree granting institutions of admissions criteria as provided for in the Board of Regents' Master Plan for Public Postsecondary Education: 2001, and to report in writing on study findings and recommendations to the House Committee on Education and to the Senate Committee on Education by not later than sixty days prior to the convening of the 2004 Regular Session of the Legislature.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Original House Concurrent Resolution No. 197 by Representative Hutter

AMENDMENT NO. 1

On page 1, line 2, after "consultation with the" change "Board" to "Boards"

AMENDMENT NO. 2

On page 1, line 3, after "Colleges," insert "Louisiana State University, Southern University and University of Louisiana Systems,"

AMENDMENT NO. 3

On page 1, line 4, after "effect on" delete "community colleges" and insert "degree granting institutions" and after "implementation" delete the remainder of the line and on line 5, delete "public baccalaureate degree granting institutions"

AMENDMENT NO. 4

On page 2, at the beginning of line 21, change "Board" to "Boards" and after "Colleges," insert "Louisiana State University, Southern University and University of Louisiana Systems,"

AMENDMENT NO. 5

On page 2, line 22, delete "community colleges" and insert "degree granting institutions" and after "implementation" delete the remainder of the line and on line 23, delete "state's public baccalaureate degree granting institutions"

AMENDMENT NO. 6

On page 3, line 3, delete "community colleges" and insert "degree granting institutions"

AMENDMENT NO. 7

On page 3, line 9, change "chairman" to "chairmen" and change "Board" to "Boards"

AMENDMENT NO. 8

On page 3, delete lines 10 and 11, and insert "Technical Colleges, Louisiana State University, Southern University and University of Louisiana Systems, and the presidents of each system."

On motion of Senator Irons, the amendments were adopted.

The resolution was read by title. Senator Irons moved to concur in the amended House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Cravins
Bean	Marionneaux
Total—4	

The Chair declared the Senate had concurred in the amended House Concurrent Resolution and ordered it returned to the House.

Called from the Calendar

Senator Schedler asked that House Concurrent Resolution No. 68 be called from the Calendar at this time.

HOUSE CONCURRENT RESOLUTION NO. 68—
BY REPRESENTATIVE KATZ**A CONCURRENT RESOLUTION**

To memorialize congress to vote to ban partial birth abortions.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	McPherson
Adley	Gautreaux	Michot
Barham	Heitmeier	Mount
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Total—32		

NAYS

Dean
Total—1

ABSENT

Bajoie	Holden	Jones, B
Bean	Irons	Marionneaux

Total—6

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Regular Order of the Day Resumed**Reconsideration**

On motion of Senator Barham, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, June 18, 2003 was reconsidered.

HOUSE BILL NO. 1137—

BY REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 56:103(B) and (C)(1) and 104(A)(3) and (4) and to repeal R.S. 56:140, to authorize the taking of bobcats and foxes under a big game hunting license; and to provide for related matters.

On motion of Senator Barham, the bill was read by title and returned to the Calendar, subject to call.

Rules Suspended

Senator Cravins asked for and obtained a suspension of the rules for the purpose of invoking 5 minute cloture.

Rules Suspended

Senator Michot asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 1051—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact Code of Civil Procedure Article 1920, relative to court costs; to require the non-prevailing party to pay all costs if the suit is frivolous; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Smith
Bean	Hoyt	Tarver
Chaisson	Jones, B	Theunissen
Cravins	Michot	Thomas
Dean	Romero	Ullo
Total—15		

NAYS

Bajoie	Fields	Johnson
Barham	Gautreaux	Jones, CD
Boissiere	Heitmeier	Lambert
Cain	Hines	Lentini

Dardenne
Dupre
Ellington
Total—21

Holden
Hollis
Irons

ABSENT

Malone
Mount
Schedler

Mr. President
Total—3

Marionneau

McPherson

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Michot, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Regular Order of the Day Resumed

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 21—

BY SENATOR CAIN AND REPRESENTATIVE ILES
AN ACT

To amend and reenact R.S. 47:302.5, 322.19, and 332.3, relative to the Vernon Parish Community Improvement Fund; to provide for the appropriation, administration, distribution, and use of money in the fund; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 21 by Senator Cain

AMENDMENT NO. 1

On page 2, line 21, after "shall be" delete the remainder of the line

AMENDMENT NO. 2

On page 2, at the beginning of line 22, delete "shall be"

AMENDMENT NO. 3

On page 3, line 11, after "more than" and before "percent" change "twenty" to "five"

AMENDMENT NO. 4

On page 3, line 18, after "than" and before "percent" change "twenty" to "five"

AMENDMENT NO. 5

On page 3, at the beginning of line 25, change "twenty" to "five"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative John Smith to Engrossed Senate Bill No. 21 by Senator Cain

AMENDMENT NO. 1

On page 1, line 3 after "Parish" insert "Legislative"

AMENDMENT NO. 2

On page 2, line 3, after "Parish" insert "Legislative"

AMENDMENT NO. 3

On page 2, line 4, after "Parish" insert "Legislative"

AMENDMENT NO. 4

On page 2, line 25, after "Parish" insert "Legislative"

AMENDMENT NO. 5

On page 3, line 3, change "July 1, 2003" to "January 31, 2004"

AMENDMENT NO. 6

On page 3, line 4, after "Parish" insert "Legislative"

AMENDMENT NO. 7

On page 3, line 18, after "appropriated." insert the following:

"Any funds distributed from this Paragraph of this Subsection are subject to the approval of a majority of the legislators who represent Vernon Parish."

AMENDMENT NO. 8

On page 3, line 25, after "appropriated." insert the following: "Any funds distributed from this Paragraph of this Subsection are subject to the approval of a majority of the legislators who represent Vernon Parish."

AMENDMENT NO. 9

On page 4, line 9, after "Vernon" insert "Parish Legislative"

AMENDMENT NO. 10

On page 4, line 22, after "Parish" insert "Legislative"

Senator Cain moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President
Total—3

Marionneau

McPherson

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 72—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 15:307(B), relative to ignition interlock devices; to provide relative to the installation of ignition interlock devices as a requirement of probation for operating a vehicle while intoxicated; to prohibit the mail order purchase of such a device; to provide for definitions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fauchaux to Engrossed Senate Bill No. 72 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 4 after "(2)", delete the remainder of the line and delete lines 5 and 6 and on line 7 delete "obtain such device through mail order purchase."

AMENDMENT NO. 2

On page 2, delete line 9

AMENDMENT NO. 3

On page 2, line 10 after "technicians" and before "shall" insert "who"

AMENDMENT NO. 4

On page 2, delete lines 12 through 19

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 72 by Senator Dupre

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:307(B) and before the comma "," insert "and to enact R.S. 32:667(I)"

AMENDMENT NO. 2

On page 1, line 5, after "purchase" and before "of" insert a comma "," and the following: "lease, or acquisition"

AMENDMENT NO. 3

On page 1, line 6, after "definitions;" and before "and" insert "to require the installation of ignition interlock devices in vehicles operated by certain persons who have had their driver's license suspended with regard to an arrest for operating a vehicle while intoxicated;"

AMENDMENT NO. 4

On page 2, line 5, after "device" delete the remainder of the line and insert in lieu thereof "as required by R.S. 14:98 or any other provision of law"

AMENDMENT NO. 5

On page 2, at the beginning of line 6, delete "conviction of a violation of R.S. 14:98" and after "purchase" and before "or" insert a comma "," and the following: "lease,"

AMENDMENT NO. 6

On page 2, delete line 7 in its entirety and insert in lieu thereof "acquire such device by means of mail order. The ignition interlock"

AMENDMENT NO. 7

On page 2, line 9, after "purchased" and before "and" insert a comma "," and the following: "leased, or acquired"

AMENDMENT NO. 8

On page 2, line 12, change "mail order purchase" to "mail order"

AMENDMENT NO. 9

On page 2, line 13, after "sale" and before "of" insert a comma "," and the following: "lease, or acquisition"

AMENDMENT NO. 10

On page 2, line 19, after "purchase," and before "whether" insert "lease, or acquisition"

AMENDMENT NO. 11

On page 2, after line 20, add the following:

"Section 2. R.S. 32:667(I) is hereby enacted to read as follows:
§667. Seizure of license; circumstances; temporary license

* * *

L(1) In addition to any other provision of law, an ignition interlock device shall be installed in any motor vehicle operated by any of the following persons whose driver's license has been suspended in connection with the following circumstances as a condition of the reinstatement of such person's driver's license:

(a) Any person who has refused to submit to an approved chemical test for intoxication, after being requested to do so, and whose driver's license has been suspended in accordance with the provisions of this Section.

(b) Any person who has submitted to an approved chemical test for intoxication where the results indicate a blood alcohol level of 0.08 percent or above and whose driver's license has been suspended in accordance with the provisions of this Section for a second or subsequent violation occurring within five years of the first violation.

(c) Any person who is arrested for a violation of R.S. 14:98, R.S. 14:98.1, or a parish or municipal ordinance that prohibits operating a vehicle while intoxicated and is involved, as a driver, in a traffic crash which involves moderate bodily injury or serious bodily injury as defined in R.S. 32:666(A).

(d) Any person who is arrested for a violation of R.S. 14:98, R.S. 14:98.1, or a parish or municipal ordinance that prohibits operating a vehicle while intoxicated and a minor child twelve years of age or younger was a passenger in the motor vehicle at the time of the commission of the offense.

(2) As to any person enumerated in Paragraph (1) of this Subsection, the ignition interlock device shall remain on the motor vehicle for a period of not less than six months. The ignition interlock device may be installed either prior to the reinstatement of the driver's license, if the person has lawfully obtained a restricted driver's license, or as a condition of the reinstatement of the driver's license.

(3) The provisions of this Subsection shall not abrogate any other provision of law regarding the installation and maintenance of ignition interlock devices.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LaFleur to Engrossed Senate Bill No. 72 by Senator Dupre

AMENDMENT NO. 1

In House Committee Amendment No. 11 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on June 16, 2003, on page 2, line 18, after "after being requested to do so," and before "and" insert "for a second violation of R.S. 14:98, R.S. 14:98.1, or a parish or municipal ordinance that prohibits operating a vehicle while intoxicated"

Senator Dupre moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Malone	Marionneaux
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Dupre moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 76—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:1448(K), relative to public officers; to provide with respect to sheriffs; to provide for group insurance for sheriffs and deputy sheriffs; to require the sheriff of LaSalle Parish to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 76 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "To enact" insert "R.S. 18:602(H) and"

AMENDMENT NO. 2

On page 1, line 3, after "to sheriffs;" and before "to provide" insert "to prohibit the person who fills a vacancy in the office of sheriff during a vacancy from becoming a candidate in the next election for that office;"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert:

"Section 1. R.S. 18:602(H) is hereby enacted to read as follows:
§602. Vacancies in certain local and municipal offices; exceptions

* * *

H. If a vacancy occurs in the office of sheriff, no person who assumes the duties of the office of sheriff during the vacancy or who is appointed to fill the vacancy shall be eligible in the next election as a candidate for such office.

* * **

AMENDMENT NO. 4

On page 1, at the beginning of line 9, change "Section 1." to "Section 2."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed Senate Bill No. 76 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 33:2218.2(F)(1) and to"

AMENDMENT NO. 2

On page 1, line 6, after "limitations;" insert "to provide with respect to supplemental compensation for tribal officers; to increase the number of officers eligible for supplemental pay;"

AMENDMENT NO. 3

On page 2, after line 7, insert the following:

"Section 2. R.S. 33:2218.2(F)(1) is hereby amended and reenacted to read as follows:

§2218.2. Rate of compensation; prior service; supplemental monthly compensation; police to receive additional compensation

* * *

F.(1) Notwithstanding any other provision of law to the contrary, the compensation for tribal officers of the Chitimacha Tribe of Louisiana shall be for no more than ~~twelve~~ twenty such law enforcement officers.

* * *

Section 3. Section 2 of this Act shall become effective on July 1, 2003; if vetoed by the governor and subsequently approved by the legislature, Section 2 of this Act shall become effective on July 1, 2003, or on the day following such approval by the legislature, whichever is later."

Senator Ellington moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Mr. President

Marionneaux

Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Ellington moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 77—
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 26:81(C), and (D) and 281(C), (D) and (F) and to enact R.S. 17:405(A)(1)(h) and (i), and (4), relative to the status and location of licensed day care centers; to provide relative to the proximity of licensed day care centers to alcohol service providers; to place such day care centers within drug free zones; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 77 by Senator Mount

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 3, after "relative to" delete the remainder of the line, and delete lines 4 through 6 in their entirety, and insert "day care centers; to provide that full-time day care centers and areas within one thousand feet of any property used for the purposes of a full-time day care center shall be included in the definition of a "drug free zone"; to define "full-time day care center" and "property used for the purposes of a full-time day care center"; and to provide for"

AMENDMENT NO. 3

On page 2, line 5, after "used for" insert "the purposes of"

AMENDMENT NO. 4

On page 2, delete lines 14 through 26 in their entirety, and delete page 3 in its entirety, and on page 4, delete lines 1 through 21 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 77 by Senator Mount

AMENDMENT NO. 1

Delete Committee Amendment Nos. 1 through 4 proposed by the Administration of Criminal Justice Committee and adopted by the House on June 16, 2003.

AMENDMENT NO. 2

On page 1, line 2, after "reenact" delete the remainder of the line and insert "R.S. 40:981.3(A)(3)(a) and (b) and (D) and to"

AMENDMENT NO. 3

On page 1, line 3, after "(i)," delete the remainder of the line, and insert "and (4) and R.S. 40:981.3(C)(6), relative to"

AMENDMENT NO. 4

On page 1, delete lines 4 through 6 in their entirety, and insert "day care centers; to provide that full-time day care centers and areas within one thousand feet of any property used for a full-time day care center shall be included in the definition of a "drug free zone"; to define "full-time day care center" and "property used for a full-time day care center"; to provide that violations of the Uniform Controlled Dangerous Substances Law which occur on or near any properly posted property used for a full-time day care center are subject to increased penalties; to provide for exceptions; and to provide for"

AMENDMENT NO. 5

On page 2, line 2, after "for" delete "the purposes of"

AMENDMENT NO. 6

On page 2, delete lines 14 through 26 in their entirety, and delete page 3 in its entirety, and on page 4, delete lines 1 through 21 in their entirety and insert in lieu thereof the following:

"Section 2. R.S. 40:981.3(A)(3)(a) and (b) and (D) are hereby amended and reenacted and R.S. 40:981.3(C)(6) is hereby enacted all to read as follows:

§981.3. Violation of Uniform Controlled Dangerous Substances Law

A.

* * *

(3)(a) Any person who violates a felony provision of R.S. 40:966 through R.S. 40:970 of the Uniform Controlled Dangerous Substances Law while on any religious building property, public housing authority property, property used for a full-time day care center, or within one thousand feet of any such property, if the area is posted as a drug-free zone, shall, upon conviction, be punished in accordance with Subsection E of this Section.

(b) In order for the provisions of this Section to apply to religious buildings ~~or~~, to public housing authority property, or to property used for a full time day care center the building must be posted as a drug-free zone as provided herein. The design and posting of the signs shall be at the discretion of the entity that owns or has authority over the religious building or public housing authority property. In order to post the area as a drug-free zone, the signs shall be located in a visible manner on or near each religious building or public housing authority property indicating that such area is a drug-free zone, that such zone extends for a distance of one thousand feet, and that a felony violation of the Uniform Controlled Dangerous Substances Law will subject the offender to severe penalties under law.

* * *

C. For purposes of this Section:

* * *

(6)"Full-time day care center" or "property used for a full-time day care center" means any place or facility operated by any institution, society, agency, corporation, person or persons, or any other group pursuant to a license issued by the state for the primary purpose of providing care, supervision, and guidance of seven or more children, not including those related to the care giver, unaccompanied by parent or guardian, on a regular basis for at least twelve and one-half hours in a continuous seven-day week.

D. A violation of this Section within one thousand feet of school property, a drug treatment facility, religious building property, ~~or~~ public housing authority property, or property used for a full-time day care center shall not include an act which occurs entirely within a private residence wherein no person seventeen years of age or under was present.

* * *

Senator Mount moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fontenot	Lambert
Barham	Gautreaux	Lentini
Bean	Heitmeier	Malone
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields	Jones, CD	Ullio

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June 19, 2003

45th DAY'S PROCEEDINGS

Total—33

NAYS

Total—0

ABSENT

Mr. President
Adley

Dean
Marionneau

McPherson
Schedler

Total—6

The Chair declared the amendments proposed by the House were rejected. Senator Mount moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 98— BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 14:63 and to repeal R.S. 14:63.1, 63.2, 63.5, 63.6, 63.7, 63.8, 63.9, 63.10, and 63.12, relative to criminal trespass; to provide for the crime of unauthorized entry; to provide for penalties; to provide exemptions; to provide for the limitation of liability of owners, lessees, and custodians; to delete certain specific types of crimes of trespass; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 98 by Senator Lentini

AMENDMENT NO. 1

On page 1, at the end of line 5, change the comma "," to "and"

AMENDMENT NO. 2

On page 1, line 6, after "lessees" and before the semicolon ";" delete the comma "," and the following "and custodians;"

AMENDMENT NO. 3

On page 7, delete lines 16 through 26 in their entirety and on page 8, delete line 1 in its entirety and insert in lieu thereof the following:
"The owner or lessee shall be immune from liability as a result of trespassing by any person who is charged with and convicted of criminal trespass."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Reengrossed Senate Bill No. 98 by Senator Lentini

AMENDMENT NO. 1

On page 5, delete line 22 in its entirety and insert "(3) Any person making a delivery, soliciting, selling any product or service, conducting a survey or poll, a real estate"

AMENDMENT NO. 2

On page 6, between lines 11 and 12 insert the following:

"(7) Any candidate for political office or any person working on behalf of a candidate for a political office."

AMENDMENT NO. 3

On page 8, at the beginning of line 2, insert "I."

AMENDMENT NO. 4

On page 8, at the end of line 5, insert "A minor ten years old or younger shall not be arrested, detained or apprehended for the crime of trespass."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Reengrossed Senate Bill No. 98 by Senator Lentini

AMENDMENT NO. 1

On page 6, between lines 11 and 12, add the following:

"(7) The owner or occupant of a watercraft or vessel traveling in salt water engaged in any lawful purpose for the purpose of retrieval of his property or for obtaining assistance in an emergency situation."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farrar to Reengrossed Senate Bill No. 98 by Senator Lentini

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1 through 3 proposed by the House Committee on Administration of Criminal Justice and adopted by the House of Representatives on June 16, 2003.

AMENDMENT NO. 2

On page 6, line 10, after "weapon" and before "on" delete "in his possession or"

AMENDMENT NO. 3

On page 8, line 1, after "acts" and before "of" insert "or gross negligence"

Senator Lentini moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Gautreaux	Malone
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fields	Lambert	
Fontenot	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Mr. President

Dupre

McPherson

Adley

Marionneau

Total—5

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 133— BY SENATOR HOYT

AN ACT

To amend and reenact R.S. 38:2251(K) and R.S. 39:1595(J), relative to public contracts; to provide for preferences for certain clay products; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 133 by Senator Hoyt

AMENDMENT NO. 1

On page 2, at the end of line 6, insert the following: "No provision of this Subsection shall affect the preferences applicable to brick manufacturers."

AMENDMENT NO. 2

On page 2, at the end of line 22, insert the following: "No provision of this Subsection shall affect the preferences applicable to brick manufacturers."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Cazayoux to Engrossed Senate Bill No. 133 by Senator Hoyt

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "R.S." change "amend and reenact" to "enact"

AMENDMENT NO. 2

On page 1, line 2, change "R.S. 38:2251(K) and R.S. 39:1595(J)" to "R.S. 38:2262 and R.S. 39:1599"

AMENDMENT NO. 3

On page 1, line 3, after "contracts" and the semicolon ";," delete the remainder of the line and insert "to provide for the applicability of certain preferences; and to"

AMENDMENT NO. 4

On page 1, line 6, after "Section 1." delete the remainder of the line and insert "R.S. 38:2262 is hereby enacted to read"

AMENDMENT NO. 5

On page 1, delete lines 8 through 15 in their entirety, and on page 2, delete lines 1 through 6 in their entirety and insert the following:

"§2262. Applicability of preferences

Notwithstanding any other provision of law to the contrary, the provisions of Title 38 of the Revised Statutes, relative to preferences, shall be null, void, and of no effect, except as provided in R.S. 38:2225(B), R.S. 39:1595.1(A) and 1595.2(A)(1)."

AMENDMENT NO. 6

On page 2, line 7, after "Section 2." delete the remainder of the line and insert "R.S. 39:1599 is hereby enacted to read as"

AMENDMENT NO. 7

On page 2, delete lines 9 through 22 in their entirety and insert the following:

"§2262. Applicability of preferences

Notwithstanding any other provision of law to the contrary, the provisions of Title 39 of the Revised Statutes, relative to preferences, shall be null, void, and of no effect, except as provided in R.S. 38:2225(B), R.S. 39:1595.1(A), and 1595.2(A)(1)."

Senator Hoyt moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President

Bajoie

Barham

Bean

Boissiere

Cain

Chaisson

Cravins

Dardenne

Dean

Dupre

Ellington

Fields

Total—37

Fontenot

Gautreaux

Heitmeier

Hines

Holden

Hollis

Hoyt

Irons

Johnson

Jones, B

Jones, CD

Lambert

Lentini

NAYS

Total—0

ABSENT

Adley

Total—2

Marionneaux

The Chair declared the amendments proposed by the House were rejected. Senator Hoyt moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Mr. President in the Chair

SENATE BILL NO. 211—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 24:802(E), relative to the Louisiana Commission on Intergovernmental Relations; to authorize and provide for the establishment of an executive committee of the commission; to provide for its functions and duties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 211 by Senator Boissiere

AMENDMENT NO. 1

On page 1, delete line 12, and insert "to be composed of six members selected as provided in this Subsection to perform"

AMENDMENT NO. 2

On page 3, line 2, after "executive committee," delete the remainder of the line and delete line 3 and insert: "upon the favorable vote of a majority of the total membership of the committee, may act for the commission and in its"

AMENDMENT NO. 3

On page 3, between lines 5 and 6, insert the following:

"(6) All actions of the executive committee shall require the favorable vote of a majority of the total membership of the committee."

Senator Boissiere moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

June 19, 2003

Mr. President	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Schedler
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Adley	Marionneaux
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 227—
BY SENATOR HOLLIS

AN ACT

To enact R.S. 42:851(A)(7), relative to group insurance; to prohibit the state from increasing an employees portion of the total insurance premium to cover deficits; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 227 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 4, after "deficits;" and before "and" insert "to provide with respect to the contribution by the state to cover deficits;"

AMENDMENT NO. 2

On page 2, line 1, change "shall" to "may"

Senator Hollis moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas

Ellington	Lambert	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Hollis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 255—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Art. 2031, relative to revival of judgments; to provide for the revival of money judgments by ex parte motion; to remove the requirement of serving the judgment debtor; to provide that notice of signing of the judgment of revival be sent to the debtor; to provide for attorney's fees; to provide for annulment of a judgment revived by fraud or in error; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 255 by Senator Dardenne

AMENDMENT NO. 1

On page 2, at the end of line 21, add the following: "If the judgment debtor proves that the judgment has been satisfied prior to the filing of the motion to revive the judgment, the holder or owner of the judgment shall pay all court costs, fees, and attorney fees incurred by the judgment debtor in opposing the ex parte order of revival and the cancellation of the judgment from the mortgage records."

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 295—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Criminal Procedure Art. 571.1 and 572 and to enact Code of Criminal Procedure Art. 572.1, relative to time limitations of prosecution; to repeal such limitations on certain offenses under certain conditions; to provide for definitions; to provide for retroactive application of provisions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 295 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 6, after "commenced" delete the remainder of the line and delete lines 7 through 14 in their entirety and insert in lieu thereof the following: "beyond the time limitations set forth in this Title if the identity of the offender is established after the expiration of such time limitation through the use of a DNA profile."

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Thomas
Dupre	Lambert	Ullo
Ellington	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Hines
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 314—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 39:198(D)(3), relative to contracts for fiscal intermediary services in processing claims of health care providers; to provide for modification of the initial term of fiscal intermediary contracts; to provide for the option to extend a fiscal intermediary contract for successive twelve-month terms; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 315—
BY SENATOR SCHEDLER

AN ACT

To enact Part III of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1331 through 1344, relative to the practice of perfusion; to provide for the licensure of qualified medical technicians to practice perfusion; to provide definitions; to create the Advisory Committee on Perfusion and provide for its membership and duties; to provide for fees; to provide for penalties; to provide for an effective date; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 318—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact Children's Code Arts. 1186(A) and 1190(B) and (C), relative to confidentiality of adoption records; to provide for notice to the custodian of certain adoption records prior to an adoption records hearing; to provide for fifteen days notice prior to hearing; to provide for an exception; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 318 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, following "(B)" and before "(C)" change "and" to ", and to enact 1190"

AMENDMENT NO. 2

On page 1, line 8, following "(B)" and before "are" delete "and (C)"

AMENDMENT NO. 3

On page 1, line 9, following "reenacted" and before "to" insert "and 1190(C) is hereby enacted"

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot

June 19, 2003

Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 354—

BY SENATORS MCPHERSON AND CAIN
AN ACT

To enact R.S. 9:2795.1(A)(6)(d) and 2795.3, relative to limitations on liability; to provide for definitions; to provide for immunity from liability for an equine activity sponsor, an equine professional, or other person for injuries or death; to provide for exceptions; to require warning signs; to provide for failure to comply with the warning requirement; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 354 by Senator McPherson

AMENDMENT NO. 1

On page 1, at the beginning of line 2, after "To" and before "enact" insert "amend and reenact R.S. 9:2795.1(A)(2) and (4) and to"

AMENDMENT NO. 2

On page 1, line 9, after "Section 1." and before "R.S. 9:2795.1(A)(6)(d)" insert "R.S. 9:2795.1(A)(2) and (4) are hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, after line 15, insert the following:

"(2) "Farm animal" means one or more of the following ~~domesticated~~ animals: horse, pony, mule, donkey, hinny, cow, bull, ox or other bovine, sheep, pig, hog, goat, ratite (ostrich, rhea, emu), and chicken or other fowl.

* * *

(4) "Farm animal activity sponsor" means an individual, group, club, partnership, or corporation, whether or not the sponsor is operating for profit or nonprofit, which sponsors, organizes, or provides the facilities for a farm animal activity, including but not limited to: a pony club; 4-H club; Courir de Mardi Gras association; hunt club; riding club; school and college-sponsored class, program, and activity; therapeutic riding program; bull riding activity; and any operator, instructor, and promoter of a farm animal facility.

* * *

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 382—

BY SENATORS SCHEDLER AND BAJOE
AN ACT

To enact Chapter 8-A of Title 46 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:978 and 979, relative to health care for the low-income uninsured; to provide for expanding coverage to certain low-income uninsured through Medicaid program waivers; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 398—

BY SENATORS FONTENOT, IRONS, MOUNT, BAJOE AND HINES
AN ACT

To enact R.S. 17:17, relative to the State Department of Education; to require the employment of a physical education coordinator; to provide for recommendations regarding such coordinator; to require the posting of a state physical activity plan to the department website; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 398 by Senator Fontenot, et al.

AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete the remainder of the line and delete lines 3 through 5 in their entirety and insert "physical activity for students; to require certain public schools to provide daily physical activity for students; and to provide"

AMENDMENT NO. 2

On page 1, line 9, after "Physical" delete the remainder of the line and insert "activity; students; required"

AMENDMENT NO. 3

On page 1, delete lines 11 through 15 in their entirety and on page 2, delete lines 1 through 22 in their entirety and insert in lieu thereof the following: "Effective for the 2004-2005 school year and thereafter, each public school with grades kindergarten through six shall provide at least thirty minutes each school day of quality physical activity for students."

Senator Fontenot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Mr. President
Total—2

Marionneaux

The Chair declared the amendments proposed by the House were concurred in. Senator Fontenot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 408—
BY SENATOR GAUTREUX**AN ACT**

To enact R.S. 22:215.24, relative to health insurance; to provide hearing aid coverage for minor children; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 408 by Senator Gautreaux

AMENDMENT NO. 1

On page 2, line 6, after "(1)" and before "entity" delete "An" and insert the following: "Notwithstanding the provisions of Act No. ____ which originated as House Bill No. 1606 of the 2003 Regular Session of the Louisiana Legislature to the contrary, an"

AMENDMENT NO. 2

On page 2, line 7, after "a" and before "who" delete "minor child" and insert "child under the age of eighteen"

AMENDMENT NO. 3

On page 2, line 9, at the end of the line after "specialist" delete the period "." insert the following: "following medical clearance by a physician licensed to practice medicine and an audiological evaluation medically appropriate to the age of the child."

AMENDMENT NO. 4

On page 2, between lines 18 and 19, insert the following:

"(iii) In the case of a health insurer or health maintenance organization that administers benefits according to contracts with health care providers, hearing aids covered pursuant to this Section shall be obtained from health care providers contracted with the health insurer or health maintenance organization. Such providers shall be subject to the same contracting and credentialing requirements that apply to other contracted health care providers."

AMENDMENT NO. 5

On page 3, line 2, after "1," and before "Any" change "2004." to "2005."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bowler to Engrossed Senate Bill No. 408 by Senator Gautreaux

AMENDMENT NO. 1

On page 1, line 13, after "plans" and before "that" insert ", including the office of group benefits,"

Senator Gautreaux moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Jones, CD
Adley	Fields	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, B	Ullo
Total—36		

NAYS

Total—0

ABSENT

Marionneaux	McPherson	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Gautreaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 418—
BY SENATOR MCPHERSON**AN ACT**

To enact R.S. 40:2402(4) and 2405(F); relative to Peace Officer Standards and Training Law; to provide with respect to peace officer training requirements; to provide for reimbursement of peace officer training by the peace officer; to provide for definitions; to provide for time and cost limitations on

reimbursement after satisfactory completion of training; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 418 by Senator McPherson

AMENDMENT NO. 1

On page 2, line 13, after "into" and before "employment" delete "an" and insert in lieu thereof "a written"

AMENDMENT NO. 2

On page 2, line 13, after "contract" and before "for" insert "executed prior to employment"

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Fields	Lambert
Bajoie	Fontenot	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Marionneaux	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 424— BY SENATOR CHAISSON

AN ACT

To enact R.S. 27:302(E), relative to the Video Draw Poker Devices Control Law; to provide with respect to description and specifications of devices; to provide for the scheduling of video poker games with no minimum wager; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 424 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "relative" delete "R.S. 27:302(E)," and insert "R.S. 27:302(E) and (F),"

AMENDMENT NO. 2

On page 1, line 5, after "wager;" and before "and" insert "to provide authorization of minimum wagers in video draw poker devices located in Orleans Parish;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." and before "hereby" delete "R.S. 27:302(E) is" and insert "R.S. 27:302(E) and (F) are"

AMENDMENT NO. 4

On page 1, line 12, after "Chapter" and before "may" insert a comma "," and insert "in any parish other than Orleans,"

AMENDMENT NO. 5

On page 1, after line 13, insert the following:

"F. Video draw poker devices in any facility licensed pursuant to this Chapter located in Orleans Parish may schedule games with such minimum wager as may be approved by the division, provided it has been determined by the Louisiana Gaming Control Board that permitting such minimum wager in Orleans Parish will not violate any of the terms or provisions of Section 1.3 of the Amended and Renegotiated Casino Operating Contract entered into pursuant to R.S. 27:201, et seq., on October 30, 1998, as amended, effective October 19, 1999, March 29, 2001, and March 31, 2001. Any change to the minimum wager in violation of this Subsection shall be null and void."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Bruneau to Engrossed Senate Bill No. 424 by Senator Chaisson

AMENDMENT NO. 1

On page 1, at the end of line 13, insert the following: "A video draw poker device shall accept coins in the amount of the minimum wager offered by that device. That video draw poker device shall provide one game for each coin of that denomination deposited in that machine. Video draw poker devices may accept coins or currency of denominations of multiples of the minimum wager, but shall provide one game for each amount of the minimum wager deposited in that video draw poker device. The provisions of this Subsection shall not be construed to affect the limitations on the amount of money played and the limitation on the value of prizes established in R.S. 27:304."

Senator Chaisson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Gautreaux	Lentini
Bajoie	Heitmeier	Malone
Bean	Holden	Marionneaux
Boissiere	Hoyt	Mount
Chaisson	Irons	Romero
Cravins	Johnson	Tarver
Dupre	Jones, B	Theunissen
Fontenot	Jones, CD	Thomas
Total—24		

NAYS

Mr. President	Dean	Michot
Barham	Ellington	Smith

June 19, 2003

Cain
Dardenne
Total—11

Fields
Hollis

ABSENT

Ullo

Hines
Lambert
Total—4

McPherson
Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Chaisson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Personal Privilege

Senator Fontenot asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 424. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

SENATE BILL NO. 425— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:447, 448, 449, 450 and 451, and to enact R.S. 11:451.1, 451.2, 451.3 and 451.4, relative to the Louisiana State Employees' Retirement System; to provide for self-directed investment funds in the Deferred Retirement Option Plan and to alter other provisions of the plan to be compatible with the changes in the plan; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 425 by Senator Boissiere

AMENDMENT NO. 1

On page 1, lines 2 and 10, following "448" and before the comma ",", insert "(A), (C), and (D)"

AMENDMENT NO. 2

On page 1, lines 2 and 10, following "450" and before "and" insert "(B), (D)(3) and (4)"

AMENDMENT NO. 3

On page 1, at the end of line 2, insert "11:450(A)(3) and (D)(6)," and at the beginning of line 3, delete "11:"

AMENDMENT NO. 4

On page 1, line 11, following "R.S. 11:" and before "451.1" insert "450(A)(3) and (D)(6),"

Senator Boissiere moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Bean
Boissiere
Cain

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis

Malone
Marionneaux
Michot
Mount
Romero
Smith

Chaisson
Cravins
Dean
Dupre
Ellington
Fields
Total—34

Hoyt
Johnson
Jones, B
Jones, CD
Lambert
Lentini

NAYS

Irons
Total—1

ABSENT

Mr. President
Dardenne
Total—4

McPherson
Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 426— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1902(11), 1903(H), 1928(B)(1), 1932(A) and (B), and 1976, relative to the Parochial Employees' Retirement System of Louisiana; to provide with respect to the method used to calculate overtime; to provide with respect to plans for extending member benefits; to provide with respect to retirees in elected positions; to provide with respect to the mode of payment options; to provide with respect to employee contribution rate; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Reengrossed Senate Bill No. 426 by Senator Boissiere

AMENDMENT NO. 1

On page 4, line 3, after "Option" change "1" to "2"

AMENDMENT NO. 2

On page 4, line 6, after "Option" change "2" to "3"

AMENDMENT NO. 3

On page 4, line 10, after "Option" change "3" to "4"

Senator Boissiere moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dean
Dupre

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B

Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Romero
Smith
Tarver
Theunissen

Ellington Fields Total—36	Jones, CD Lambert	Thomas Ullo
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NAYS

Total—0

ABSENT

Mr. President Total—3	Dardenne	Schedler
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The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 427—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:822(E), relative to Teachers' Retirement System of Louisiana; to provide with respect to election procedures; to provide an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 427 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 10, after "trustees" delete the period "." and insert "and reviewed by the chairmen of the House of Representatives and Senate committees on retirement."

Senator Boissiere moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dean	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Fontenot	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Mr. President Dardenne Total—4	Dupre Schedler
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The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 477—
BY SENATOR CHAISSON

AN ACT

To enact R.S. 27:301(B)(16) and 302(A)(5)(p), relative to the Video Draw Poker Devices Control Law; to provide with respect to video draw poker; to provide for definitions; to provide for description and specifications; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 477 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 5, after "specifications;" and before "and" insert "to provide for authorization of multi-hand games in video draw poker devices located in Orleans Parish;"

AMENDMENT NO. 2

On page 2, at the end of line 16, delete the period "." and insert a comma "," and insert the following: "provided that, with respect to any video draw poker device located in Orleans Parish, no multi-hand game is or may be authorized unless it has been determined by the Louisiana Gaming Control Board that permitting such game in Orleans Parish will not violate any of the terms or provisions of Section 1.3 of the Amended and Renegotiated Casino Operating Contract entered into pursuant to R.S. 27:201, et seq., on October 30, 1998, as amended, effective October 19, 1999, March 29, 2001, and March 31, 2001. Any authorization of a multi-hand game by the division in violation of this Subparagraph shall be null and void."

Senator Chaisson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Fontenot	Lentini	
Total—32		

NAYS

Dardenne Dean Total—4	Fields Michot
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ABSENT

Mr. President Total—3	Lambert	Schedler
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The Chair declared the amendments proposed by the House were concurred in. Senator Chaisson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 480—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 15:542.1(H)(1) and 572(B), relative to sex offenses; to provide relative to required registration of sex offenders; to limit certain exemptions from such registration to a pardon by the governor; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 480 by Senator Chaisson

AMENDMENT NO. 1

On page 1, delete line 4 in its entirety and insert "to provide that the requirement to register shall apply to an offender who is pardoned;"

AMENDMENT NO. 2

On page 1, at the beginning of line 5, delete "governor;"

AMENDMENT NO. 3

On page 2, line 2, after "vacated" insert a period "." and delete the remainder of the line

AMENDMENT NO. 4

On page 2, delete lines 3 and 4 in their entirety and insert "The requirement to register shall apply to an offender who is pardoned."

Senator Chaisson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Mr. President
Total—2

Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Chaisson moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 518—
BY SENATOR C. JONES

AN ACT

To enact R.S. 15:827.1, relative to criminal procedure; to create the reentry preparation program within the Department of Public Safety and Corrections; to require certain personnel at state correctional facilities; to provide for duties of such personnel; to require participation of certain offenders in the reentry preparation program; to require certain instruction areas in such program; to authorize the assistance of public or private organizations for the delivery of such program; to provide relative to distance instruction; to require the promulgation of rules and guidelines; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 518 by Senator C. Jones

AMENDMENT NO. 1

On page 2, line 7, following "R.S." and before the comma "," change "15:827(5)" to "15:827(A)(5)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Engrossed Senate Bill No. 518 by Senator C. Jones

AMENDMENT NO. 1

On page 3, line 22, after "organizations" and before the period "." insert "including faith-based organizations"

Senator C. Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President
Total—3

Gautreaux

Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator C. Jones moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 522—

BY SENATOR C. JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 926.1 (A)(1), (H)(3), and (K) and R.S. 15:151.2(G) and to enact Code of Criminal Procedure Art. 926.1(A)(3) and 930.7(D), relative to post conviction relief; to provide relative to DNA testing; to extend the period of time in which an application for post conviction relief through DNA testing can be made; to require appointment of counsel for an indigent petitioner for such relief; to create the Court Appointed Counsel for Post-Conviction Relief for Indigents in Non-Capital Cases Fund; to place such fund under the authority of the Indigent Defense Assistance Board; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 522 by Senator C. Jones

AMENDMENT NO. 1

On page 1, line 3, delete "and to enact Code of Criminal Procedure" and on line 4, delete "Art. 926.1(A)(3) and 930.7(D)"

AMENDMENT NO. 2

On page 1, delete lines 7 through 10, and insert "made; and to"

AMENDMENT NO. 3

On page 1, at the end of line 14, delete "and Code of"

AMENDMENT NO. 4

On page 1, delete line 15, and insert "to read"

AMENDMENT NO. 5

On page 2, delete lines 11 through 14 in their entirety

AMENDMENT NO. 6

On page 2, line 16, change "H.(1)" to "H"

AMENDMENT NO. 7

On page 2, line 17, after "(3)" add the following: "After service of the application on the district attorney and the law enforcement agency in possession of the evidence,"

AMENDMENT NO. 8

On page 2, line 18, before "clerks" change "The" to "the"

AMENDMENT NO. 9

On page 3, delete lines 13 through 26 in their entirety and on page 4, delete lines 1 through 12 in their entirety

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 522 by Senator C. Jones

AMENDMENT NO. 1

In House Committee Amendment No. 1 proposed by the House Committee on Administration of Criminal Justice, on line 2 before "and to enact" insert "and R.S. 15:151.2(G)"

AMENDMENT NO. 2

In House Committee Amendment No. 3 proposed by the House Committee on Administration of Criminal Justice, on line 7,

following "page 1," insert "line 14, delete "and R.S. 15:151.2(G)", and

Senator C. Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Fields	Lambert	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	McPherson	Schedler
Chaisson	Michot	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator C. Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senator Lambert in the Chair

SENATE BILL NO. 583—

BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact the introductory paragraph of R.S. 2:654(B) and 654(C), (F), (H)(3), and (J), and to enact R.S. 2:654(B)(14) and (15), relative to the Louisiana Airport Authority; to provide for representation from certain parishes on the board of commissioners; to provide for the term of office of each new member; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 583 by Senator Marionneaux

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 in its entirety and insert the following:

"R.S. 2:653(A) and 654(B)(introductory paragraph), (1), and (9), (H)(introductory paragraph) and (2), and (J) and to enact R.S. 2:654(B)(14), (15), and (16) and (H)(4) through (8),"

AMENDMENT NO. 2

On page 1, line 4, after "Authority;" insert "to provide relative to the territorial boundaries of the such authority;"

AMENDMENT NO. 3

On page 1, line 6, after "member;" insert "to provide relative to the quorum for the board of commissioners;"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following: "Notice of intention to introduce this Act has been published as provided by Article III, Section 13 of the Constitution of Louisiana."

AMENDMENT NO. 5

On page 1, line 9, after "Section 1." delete the remainder of the line and delete lines 10 through 15 in their entirety, delete pages 2 and 3 in their entirety, and on page 4, delete lines 1 through 17 in their entirety and insert the following:

"R.S. 2:653(A) and 654(B)(introductory paragraph), (1), and (9), (H)(introductory paragraph) and (2), and (J) are hereby amended and reenacted and R.S. 2:654(B)(14), (15), and (16) and (H)(4) through (8) are hereby enacted to read as follows:

§653. Creation of authority; jurisdiction

A. The Louisiana Airport Authority is hereby created as a body politic and corporate and a political subdivision of the state. The authority shall exercise such powers and duties as herein specified or as necessary or convenient to carry out its purposes. The boundaries of the authority shall be co-extensive with the territorial boundaries of Ascension Parish, Jefferson Parish, Orleans Parish, St. Bernard Parish, St. Charles Parish, St. James Parish, St. John the Baptist Parish, St. Tammany Parish, Assumption Parish, East Baton Rouge Parish, Iberville Parish, Livingston Parish, and Tangipahoa Parish, and West Baton Rouge Parish.

§654. Board of Commissioners; creation; membership; terms; officers; meetings

B. The board shall be comprised of ~~twenty~~ twenty-seven voting members appointed as follows:

(1) ~~One member~~ Three members shall be appointed by the governor from a list of three names submitted by the members of the legislature representing Ascension Parish.

(9) ~~One member~~ Two members shall be appointed by the governor from a list of three names submitted by the members of the legislature representing Assumption Parish.

R.S. 2:654(B)(14) is all proposed new law.

(14) Two members shall be appointed by the governor from a list of three names submitted by the members of the legislature representing Iberville Parish.

R.S. 2:654(B)(15) is all proposed new law.

(15) One member shall be appointed by the governor from a list of three names submitted by the members of the legislature representing parishes included in the Fourth U.S. Congressional District as defined by R.S. 18:1276.

R.S. 2:654(B)(16) is all proposed new law.

(16) One member shall be appointed by the governor from a list of three names submitted by the members of the legislature representing West Baton Rouge Parish.

H. The six at-large members of the board shall serve terms concurrent with that of the appointing governor. The remaining members of the board shall serve staggered terms as provided below and may be appointed to serve not more than ~~two~~ three consecutive and complete terms. The initial terms of office shall be as follows, with all subsequent terms to be for six years:

(2) Each member from ~~Ascension~~, St. Bernard and St. Tammany parishes shall be appointed to a four-calendar-year term.

R.S. 2:654(H)(4) is all propose new law.

(4) The member from Iberville Parish shall be appointed to a four-calendar-year term.

R.S. 2:654(H)(5) is all proposed new law.

(5) The member representing the Fourth U.S. Congressional District shall be appointed to a two-calendar-year term.

R.S. 2:654(H)(6) is all proposed new law.

(6) Each member representing Ascension Parish shall be appointed to a six-calendar-year term.

R.S. 2:654(H)(7) is all proposed new law.

(7) The member representing West Baton Rouge Parish shall be appointed to a six-calendar-year term.

R.S. 2:654(H)(8) is all proposed new law.

(8) Notwithstanding the provisions of Paragraph (1) of this Subsection, the initial term for any member representing Assumption Parish appointed pursuant to the Act which originated as Senate Bill 583 of the 2003 Regular Session shall be a six-calendar-year term.

J. The board shall hold regular monthly meetings and may hold additional meetings as it deems necessary. A board member who fails to attend three consecutive meetings, or four or more meetings in a one-year period, shall automatically be recommended by the board to the appropriate appointing authority for removal, and, upon removal, a vacancy in that position shall be declared and filled as provided herein. All meetings of the board and all minutes and records thereof shall be subject to the Open Meetings Law and the Public Records Act. ~~Eleven~~ A majority of the members of the board shall constitute a quorum, and such quorum shall be required for the transaction of all business of the board. Action by the authority shall require an affirmative vote of a majority of the members present."

Senator Marionneaux moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Lentini
Barham	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dean	Irons	Tarver
Dupre	Johnson	Theunissen
Ellington	Jones, B	Thomas
Fields	Lambert	Ullio
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Dardenne	McPherson
Bajoie	Jones, CD	Schedler
Total—6		

The Chair declared the amendments proposed by the House were concurred in. Senator Marionneaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 596—
BY SENATOR CHAISSON**AN ACT**

To amend and reenact R.S. 13:352(C), relative to court of appeal clerks; to provide for reimbursement to judges of the courts of appeal for expenses incurred while on official duty; to provide that such reimbursement be payable out of self-generated funds; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 596 by Senator Chaisson

AMENDMENT NO. 1

On page 1, line 2, change "court of appeal clerks" to "judges of courts of appeal"

AMENDMENT NO. 2

On page 1, line 11, delete "**Chief Judges and**" and insert "**judges of courts of appeal**"

AMENDMENT NO. 3

On page 1, delete line 12 in its entirety

AMENDMENT NO. 4

On page 2, line 6, delete "**chief judges and other appellate**"

AMENDMENT NO. 5

On page 2, line 10, after "**Judges**" and before the period "." insert "**subject to final approval by the Supreme Court of Louisiana.**"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 596 by Senator Chaisson

AMENDMENT NO. 1

On page 2, line 7, after "**expenses**" and before "**incurred**" insert "**related to their office which are**"

Senator Chaisson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		

NAYS

Total—0

ABSENT

Dardenne	McPherson
Marionneaux	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Chaisson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 603— BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1137, relative to the Louisiana School Employees' Retirement System; to provide with respect to the purchase of service by any active, contributing member of the retirement system; to establish the procedure for such purchases; to provide an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Reengrossed Senate Bill No. 603 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 2, after "11:158" delete the period "." and delete the remainder of the line and delete lines 3 through 5 in their entirety and on line 6, delete "make application for this credit." and insert a semicolon ";" and "however, the member shall have rendered service as an employee for a minimum of ninety days and shall purchase a minimum of ninety days' service in order to avail himself of the provisions of this Section."

Senator Boissiere moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Cain	Hoyt	Schedler
Cravins	McPherson	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 607— BY SENATORS HOLDEN, IRONS AND MOUNT AN ACT

To enact Chapter 20-H of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3050.1 through 3050.4, relative to establishment of the Grant Opportunity for Youth Challenge Skill Training; to establish a program of tuition assistance for skill and occupational training at a public postsecondary institution for students who graduate from the

Louisiana National Guard's Youth ChalleNGe Program and earn a general education diploma; to provide for program eligibility and award limits; to provide continuation requirements for continued payments; to provide for administration of the program; to provide for funding; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 607 by Senators Holden, Irons, and Mount

AMENDMENT NO. 1

On page 1, line 6, after "at a" and before "postsecondary" delete "public"

AMENDMENT NO. 2

On page 2, line 9, after "tuition at" and before "postsecondary" change "a Louisiana public" to "an eligible Louisiana"

AMENDMENT NO. 3

On page 2, at the beginning of line 13, change "A." to "A.(1)"

AMENDMENT NO. 4

On page 2, line 20, after "degree" insert a period "." and delete the remainder of the line, and delete line 21 in its entirety and insert the following:

"(2) The state shall award a grant in an amount determined by the administering agency to be equal to the average grant amount paid under this Section for students attending a public postsecondary institution to any student who enrolls on a full-time basis at a regionally accredited independent college or university in the state that is a member of the Louisiana Association of Independent Colleges or Universities to pursue skill or occupational training, including a vocational technical education certificate or diploma or a nonacademic undergraduate degree.

(3) To be eligible for a grant as provided for in this Section, a student must meet all of the following qualifications and all other applicable qualifications of this Chapter."

AMENDMENT NO. 5

On page 2, at the beginning of line 22, change "(1)" to "(a)"

AMENDMENT NO. 6

On page 2, line 24, after "at" and before "postsecondary" change "a public" to "an eligible"

AMENDMENT NO. 7

On page 2, at the beginning of line 25, change "(2)" to "(b)"

AMENDMENT NO. 8

On page 3, line 2, after "eligible" and before "postsecondary" delete "public"

AMENDMENT NO. 9

On page 3, line 7, after "eligible" and before "postsecondary" delete "public"

AMENDMENT NO. 10

On page 3, at the beginning of line 11, change "(3)" to "(c)"

AMENDMENT NO. 11

On page 4, at the beginning of line 14, change "D." to "C."

Senator Holden moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	McPherson	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Holden moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 623—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 24:772(A), relative to reports to the legislature; to require that e-mail notification of reports be sent to members of the legislature; to require agencies to offer publications in an electronic format; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 623 by Senator Michot

AMENDMENT NO. 1

On page 1, line 13, after "legislature." delete the remainder of the line and delete lines 14 and 15 and insert the following: "In addition, the agency shall send an e-mail notification which contains a link to an electronic copy of the report to each member of the legislature. Other Paper copies of the report shall"

AMENDMENT NO. 2

On page 2, line 3, after "legislature" delete the remainder of the line and on line 4 delete "and electronic copy." and insert "via e-mail, and upon the request of a member, via paper copy."

AMENDMENT NO. 3

On page 2, line 7, delete "hard" and insert "paper"

AMENDMENT NO. 4

On page 2, at the beginning of line 8, after "all" and before "such" delete "of"

Senator Michot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Holden	Romero
Boissiere	Hollis	Smith
Cain	Hoyt	Tarver
Chaisson	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Cravins	Jones, B	Schedler
Dardenne	McPherson	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Michot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 646—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 38:2211(A)(6) and 2212(D)(1), relative to public contracts; to provide for an exception to the formal bid process in the event of an extreme public emergency; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 646 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 10, change "R.S. 38:2211(6)(b)" to "R.S. 38:2211(A)(6)(b)"

AMENDMENT NO. 2

On page 2, line 26, after "(b)" and before "This" insert "(i)"

AMENDMENT NO. 3

On page 3, line 1, after the period "." delete the remainder of the line, delete lines 2 and 3 in their entirety and insert the following:

"(ii) The president of the police jury, the president of the parish council, the mayor of the municipality, or a person designated to act on behalf of the governing authority of any other political subdivision, shall declare that an extreme emergency exists and shall cause such declaration to be published in the official journal within ten days or as soon as practicable thereafter."

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	McPherson	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 663—

BY SENATOR HEITMEIER AND REPRESENTATIVES MONTGOMERY AND SCALISE

AN ACT

To enact R.S. 27:3(24), relative to the Louisiana Gaming Control Law; to provide for a definition of a "Louisiana business", "Louisiana company", or "Louisiana corporation"; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 663 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 3, after "business", delete the remainder of the line and delete line 4 in its entirety and insert in lieu thereof the following:

"'Louisiana firm', and 'Louisiana corporation'; to provide for exceptions; to provide with respect to the number of employees who must be Louisiana residents if the business, company, or corporation is located outside of Louisiana; and to provide for related"

AMENDMENT NO. 2

On page 1, delete lines 12 through 15 in their entirety

AMENDMENT NO. 3

On page 2, delete lines 1 through 4 in their entirety and insert in lieu thereof the following:

"(24) For the purpose of this Title, except Chapter 6, "Louisiana business", "Louisiana firm", or "Louisiana corporation", means a business, company, or corporation that is qualified to do business in Louisiana, that has a physical presence in Louisiana in the form of property or facilities owned or leased in Louisiana, and that employs Louisiana residents who operate the business, company, or

corporation. If the headquarters of the business, company, or corporation is domiciled outside of Louisiana, the business, company, or corporation shall employ at least twenty-five employees who are residents of Louisiana in order to qualify as a "Louisiana business", "Louisiana company", or "Louisiana corporation".

* * *

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 663 by Senator Heitmeier

AMENDMENT NO. 1

Delete the set of amendments proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 10, 2003.

AMENDMENT NO. 2

On page 2, at the end of line 4, insert the following: "If the headquarters of the business, company, or corporation is domiciled outside of Louisiana the business, company, or corporation shall employ at least twenty-five employees who are residents of Louisiana to qualify as a "Louisiana business", "Louisiana company", or "Louisiana corporation"."

Senator Heitmeier moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	McPherson	Schedler
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 666— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 22:2002(3) and (6) and to enact R.S. 22:2004.2 and 3018.1, relative to health insurance; to require coverage for low protein food products to treat certain diseases by certain health organizations and self-insured entities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Reengrossed Senate Bill No. 666 by Senator Heitmeier

AMENDMENT NO. 1

On page 4, between lines 7 and 8, insert the following:

"D. The provisions of this Section shall apply to any new policy, contract, program, or plan issued by an entity subject to the provisions of this Section on or after January 1, 2004. Any such policy, contract, program, or plan in effect prior to January 1, 2004 shall convert to the provisions of this Section on or before the renewal date thereof but in no event later than January 1, 2005."

AMENDMENT NO. 2

On page 5, after line 14, insert the following:

"D. The provisions of this Section shall apply to any new policy, contract, program, or plan issued by an entity subject to the provisions of this Section on or after January 1, 2004. Any such policy, contract, program, or plan in effect prior to January 1, 2004 shall convert to the provisions of this Section on or before the renewal date thereof but in no event later than January 1, 2005."

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		

NAYS

Total—0

ABSENT

Cravins	McPherson
Marionneaux	Schedler
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 684— BY SENATOR ULLO

AN ACT

To enact R.S. 28:53.2(F), relative to civil immunity; to exempt a coroner, his support staff and law enforcement officers from civil liability for forceful entry to secure protective custody; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 685— BY SENATOR ULLO

AN ACT

To enact R.S. 33:1563(L), relative to civil immunity; to provide for civil immunity for coroner and supporting staff while in the performance of their duties; to require persons or entities alleging improper conduct to show by clear and convincing evidence and proof of conduct which is without rational basis; to provide standards for civil action; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 688— BY SENATOR ULLO

AN ACT

To enact R.S. 38:2211(A)(13) and 2212(A)(1)(f), relative to public contracts; to provide for the acceptance of bids via electronic medium; to authorize political subdivisions to accept bids for public works via certain secure electronic interactive environment; to provide for definitions; to provide for exceptions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 688 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 6, delete "to provide for exceptions;" and insert in lieu thereof the following: "to provide for development of standards for a secure electronic interactive medium;"

AMENDMENT NO. 2

On page 2, delete lines 11 through 26 in their entirety and insert in lieu thereof the following: "(f)(i) Beginning January 1, 2005, bids for public works contracts may be submitted to political subdivisions through a uniform and secure electronic interactive environment as provided in this Paragraph. If a political subdivision elects to accept bids by this electronic medium, any special condition or requirement for the submission shall be specified in the advertisement for bids required by this Section. If bids are to be accepted electronically, the advertisement required in this Section shall contain the electronic address of the public entity and shall establish the specific times for public access to the electronic interactive environment for purposes of submission of bids.

(ii) The Louisiana Advisory Commission on Intergovernmental Relations, with the advice and assistance of the chief information officer, in the office of information technology, shall develop uniform standards to be utilized by political subdivisions for the receipt of bids electronically and for a secure electronic interactive environment. In developing these standards, the commission shall receive recommendations and information from contractors and construction interest groups, including but not limited to, the Louisiana Association of General Contractors and the Associated Builders and Contractors. Once developed by the commission, the standards shall be promulgated by the chief information officer."

AMENDMENT NO. 3

On page 3, delete lines 1 and 2 in their entirety.

Senator Ullo moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Gautreaux	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Ullo moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 705— BY SENATOR SCHEDLER

AN ACT

To enact Code of Civil Procedure Art. 1422.1, relative to discovery; to provide that certain records maintained by the Louisiana Bureau of Criminal Identification and Information are privileged and not subject to discovery in civil proceedings; to provide for the definition of "records"; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 706— BY SENATOR IRONS

AN ACT

To enact R.S. 17:406.6, relative to parental involvement in schools; to provide for the establishment of a demonstration program in certain school systems; to provide for the selection of participating schools; to provide for the definition, qualification, selection and duties of an independent parent review board; to provide relative to the evaluation of parental involvement programs; to require a report of findings to the State Board of Elementary and Secondary Education; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Engrossed Senate Bill No. 706 by Senator Irons

AMENDMENT NO. 1

On page 1, line 3, after "in" and before "school" change "certain" to "local"

AMENDMENT NO. 2

On page 2, line 8, after "parish" and before "and" insert a comma ", "

AMENDMENT NO. 3

On page 2, line 14, after "any" delete the remainder of the line and delete line 15 and at the beginning of line 16 delete "shall include ten schools which" and insert "city, parish, or other local public school system and shall include schools that"

AMENDMENT NO. 4

On page 2, line 26, after "of" and before "elementary" delete "ten"

AMENDMENT NO. 5

On page 3, line 3, after "(b)" and before "shall" change "The participating schools" to "Each participating school"

AMENDMENT NO. 6

On page 3, at the end of line 4, change "programs" to "program"

AMENDMENT NO. 7

On page 4, line 11, after "urban" and before "schools" insert "or rural"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Peychaud to Engrossed Senate Bill No. 706 by Senator Irons

AMENDMENT NO. 1

On page 2, line 21, after "or" and before "less" delete "not"

Senator Irons moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Gautreaux	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Irons moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 781—
BY SENATOR BOISSIERE**AN ACT**

To enact Part IV of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4159.10, relative to sewage and water disposal; to prohibit privatization of public sewage disposal or treatment facilities in municipalities having a population in excess of four hundred and seventy-five thousand, according to the most recent federal decennial census,

unless specifically authorized by the legislature; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 781 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 4, after "sewage" insert "or water"

AMENDMENT NO. 2

On page 1, line 8, delete "legislature;" and insert "voters; to provide exceptions;"

AMENDMENT NO. 3

On page 2, line 6, after "operation" insert a comma ","

AMENDMENT NO. 4

On page 2, line 7, after "board" delete the comma "," and delete "drainage," and insert "sewage or water"

AMENDMENT NO. 5

On page 2, line 11, change "1." to "(1)"

AMENDMENT NO. 6

On page 2, line 12, after "Committee" and before "listing" insert "and the House Committee on Municipal, Parochial and Cultural Affairs"

AMENDMENT NO. 7

On page 2, line 13, after "contract" insert a comma ","

AMENDMENT NO. 8

On page 2, line 13, change "The committee" to "Each committee"

AMENDMENT NO. 9

On page 2, line 14, after "contract" insert a comma ","

AMENDMENT NO. 10

On page 2, line 15, change "2." to "(2)"

AMENDMENT NO. 11

On page 2, line 16, after "contract" insert a comma ","

AMENDMENT NO. 12

On page 2, line 21, after "apply to" delete "proposed" and insert "any of the following:
(1) Proposed"

AMENDMENT NO. 13

On page 2, between lines 22 and 23, insert the following:

"(2) Contracts for construction, renovation, repairs, or maintenance of public works or capital projects.

(3) Contracts for emergency or disaster or as a result of same as defined by statute and only for the duration of same."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 781 by Senator Boissiere

AMENDMENT NO. 1

On page 1, line 4, change "prohibit" to "establish procedures for" and after "sewage" insert "and water drainage"

AMENDMENT NO. 2

On page 1, line 7, change "census," to "census;" and delete the remainder of the line and delete line 8 in its entirety.

AMENDMENT NO. 3

On page 2, line 2, change "\$4159.10. Sewage or water" to "\$4159.10. Public sewage and water drainage"

AMENDMENT NO. 4

On page 2, line 3, after "authorization" insert "procedures"

AMENDMENT NO. 5

On page 2, between lines 4 and 5 insert the following:

"A. Definition. For the purpose of this Part, "privatization" shall mean the sale or divestiture of any asset having an aggregate value in excess of five million dollars of any public sewerage and water board, drainage, disposal or treatment facility by any municipality to a non-public entity. It shall also mean transferral to a non-public entity of the obligation to operate, maintain and/or manage the facility, or any portion thereof, for the benefit and on behalf of the municipality."

AMENDMENT NO. 6

On page 2, line 5, change "A." to "B. Procedures."

AMENDMENT NO. 7

On page 2, line 7, change "by" to "with"

AMENDMENT NO. 8

On page 2, at the beginning of line 8, insert "in"

AMENDMENT NO. 9

On page 2, line 10, after "census," delete the remainder of the line and insert "the following procedures shall occur:"

AMENDMENT NO. 10

On page 2, line 11, change "1. Submit" to "(1) The public sewerage and water board shall submit"

AMENDMENT NO. 11

On page 2, line 12, after "Committee" insert "and House Municipal, Parochial, and Cultural Affairs" and between "the" and "agreement" insert "proposed"

AMENDMENT NO. 12

On page 2, at the beginning of line 14, insert "proposed" and after "plan" insert a period "." and delete the remainder of the line

AMENDMENT NO. 13

On page 2, between lines 14 and 15 insert the following:

"(2) The public sewerage and water board shall hold citywide hearings on the proposed agreement, contract or plan."

AMENDMENT NO. 14

On page 2, delete lines 15 through 22, and insert the following:

"(3) Upon approval of the proposed agreement, contract or plan the Public Sewage and Water Board shall call an election for the purpose of seeking voter approval of the proposed agreement, contract or plan. The proposed agreement, contract or plan shall be executed only after having been approved by a majority of the registered voters of the municipality, voting at an election held for that purpose in accordance with the Louisiana Election Code."

AMENDMENT NO. 15

On page 2, delete lines 23 through 26 and on page 3, delete line 1

Senator Boissiere moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Irons	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Boissiere moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 802—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 9:315.14, relative to child support; to provide an exception to the mandatory minimum payment in certain cases; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 802 by Senator Smith

AMENDMENT NO. 1

On page 1, line 13, delete "less" and insert "not less than forty dollars and not more"

Senator Smith moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo

Ellington
Fields
Total—37

Lambert
Lentini

NAYS

Total—0

ABSENT

Cravins
Total—2

Schedler

The Chair declared the amendments proposed by the House were rejected. Senator Smith moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 819—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1201(F)(introductory paragraph) and to enact R.S. 23:1201(I) and (J) and to repeal R.S. 23:1121(C) and 1201.2, relative to workers' compensation; to provide for the payment of medical benefits; to require certain documentation of medical treatment; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Engrossed Senate Bill No. 819 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 5, after "benefits" insert a comma "," and delete the comma after "day"

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Dardenne
Dean
Dupre
Ellington
Fields
Total—37

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Cravins
Total—2

Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 821—

BY SENATORS SCHEDLER AND THOMAS
AN ACT

To amend and reenact R.S. 33:130.401(A), 130.402(A)(1) and (F), 130.403(10), 130.404(A)(1), (B)(1),(2) and (3) and 130.406(B)(2), to enact R.S. 33:130.403 (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), and 130.404 (C), (D), and (E), and to rename Subpart B-17 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, all relative to the St. Tammany Parish Economic and Industrial Development District; to provide for the name of the district, its powers, and purpose; to clarify its membership requirements; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 823—

BY SENATOR SMITH AND REPRESENTATIVE TOWNSEND
AN ACT

To amend and reenact R.S. 25:341(A), 342(A)(8) and (B)(3)(c), and R.S. 36:209(W), and to enact R.S. 25:342(B)(3)(d), (e), (f), (g), (h), and (i), and 352 and 353, relative to the Department of Culture, Recreation and Tourism; to provide for museums placed within the office of the state museum; to establish the Louisiana Political Museum and Hall of Fame, the Louisiana Forestry Museum, and the Winn Parish Museum as museums of local interest; to provide for the transfer of such museums of local interest and the Louisiana Sports Hall of Fame to the office of the state museum; to provide for certain revenues; to provide for certain personnel; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 823 by Senator Smith and Representative Townsend

AMENDMENT NO. 1

On page 1, at the beginning of line 4, change "and 352 and 353," to "352, and 353, and RS. 36:851.1,"

AMENDMENT NO. 2

On page 3, delete line 26 in its entirety, and on page 4, delete line 1 in its entirety, and insert the following:

"B.(1) A nonprofit organization may be established for supporting the programs and"

AMENDMENT NO. 3

On page 4, line 2, change "herein after referred to" to "referred to in this Section"

AMENDMENT NO. 4

On page 4, line 7, after "(2)" delete "The"

AMENDMENT NO. 5

On page 5, delete line 9 in its entirety and insert the following:
"C.(1) A nonprofit organization may be established for"

AMENDMENT NO. 6

On page 5, line 10, after "museum" and before "which" insert a comma "," and "referred to in this Section as "Friends of the Louisiana Sports Hall of Fame",

AMENDMENT NO. 7

On page 5, line 13, after "(2)" delete the remainder of the line and delete line 14, and insert "Friends of the Louisiana Sports Hall of Fame may:"

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AMENDMENT NO. 8

On page 6, line 2, after "reenacted" and before "to read" insert "and R.S. 36:851.1 is hereby enacted"

AMENDMENT NO. 9

On page 6, at the end of line 9, delete the colon ":" and insert the following: "and shall exercise their powers, duties, functions, and responsibilities as provided in R.S. 36:851.1."

AMENDMENT NO. 10

On page 6, between lines 19 and 20, insert the following:

* * *

§851.1. Transfer; Museums of Local Interest and the Louisiana Sports Hall of Fame
The museums placed within the Department of Culture, Recreation and Tourism by the provisions of R.S. 36:209(W) shall be placed within the office of the state museum as provided in this Part except that the Friends of the Museums of Local Interest and the Friends of the Louisiana Sports Hall of Fame shall have all powers and duties otherwise provided by law."

AMENDMENT NO. 11

On page 6, line 23, after "Section 4. The" and before "board" insert "members of the"

AMENDMENT NO. 12

On page 6, at the end of line 24, delete the comma "," and delete "and" and delete lines 25 and 26 in their entirety and on page 7, delete lines 1 and 2 in their entirety and insert the following: "in office on the effective date of this Act shall be the initial members of the Friends of the Museums of Local Interest and the members of the board of directors for the Louisiana Sports Hall of Fame in office on the effective date of this Act shall be the initial members of the Friends of the Louisiana Sports Hall of Fame."

Senator Smith moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Cravins	Schedler
Total—2	

The Chair declared the amendments proposed by the House were rejected. Senator Smith moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 842—

BY SENATOR MCPHERSON AND REPRESENTATIVES CURTIS, DEWITT AND FARRAR

AN ACT

To enact Code of Civil Procedure Art. 4843(J) and 4850.1, relative to city court jurisdiction; to provide for an increase in the jurisdictional amount for the Alexandria City Court; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 842 by Senator McPherson

AMENDMENT NO. 1

On page 1, lines 4 and 14, change "Alexandria City Court" to "City Court of Alexandria"

AMENDMENT NO. 2

On page 2, line 2, after "dollars" delete the remainder of the line and delete line 3 in its entirety and insert ", except as provided in Article 4850.1."

AMENDMENT NO. 3

On page 2, line 5, change "Alexandria City Court" to "City Court of Alexandria"

AMENDMENT NO. 4

On page 2, lines 8 and 13, change "Alexandria City Court" to "The City Court of Alexandria"

Senator McPherson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Cravins	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator McPherson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 844—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 9:2801.2, relative to partition of community property; to provide for the valuation of goodwill as an asset in the partition of community property for certain businesses; to provide for definitions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 844 by Senator Ellington

AMENDMENT NO. 1

On page 1, delete lines 11 through 15 in their entirety and insert the following: "include, in the valuation of a community commercial business, the goodwill of the business. Goodwill shall not be included in the valuation of a business when goodwill results solely from the identity, reputation, or qualifications of the owner or from his relationship with customers of the business."

AMENDMENT NO. 2

On page 2, delete lines 1 through 3 in their entirety

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Cravins	Schedler
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 866—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 37:3003(B)(1), relative to the State Board of Medical Examiners and occupational therapists; to provide for direct access to the services of occupational therapists; to eliminate the necessity for a referral to occupational therapy services; to increase the categories of medical professionals who

can refer to occupational therapists; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 926—

BY SENATOR ADLEY

AN ACT

To enact R.S. 42:7.3, relative to meetings of public bodies; to provide a procedure for the presentation and consideration of an offer to sell natural gas to a public body for use in its gas distribution system sales to retail customers for a certain term, or to assume the operation or acquire the ownership of, a gas utility owned or operated by a public body; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 926 by Senator Adley

AMENDMENT NO. 1

On page 2, delete line 15 and insert "of the sale of natural gas to similar public bodies for use in gas distribution"

AMENDMENT NO. 2

On page 3, delete lines 15 through 17 and insert the following: "E. Any proposed revision or amendment of the published contract or agreement shall be noticed, published, and made available in its entirety in the same manner as required"

Senator Adley moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Dean	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Adley moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 929— BY SENATOR HAINKEL

AN ACT

To enact Part XV of Chapter 1 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:4780 through 4785, relative to boats and boating; to provide with respect to the "Marina and Boatyard Storage Act"; to provide definitions; to provide with respect to the creation of a privilege on movable property stored in marinas and boatyards for the payment of rent due and other charges; to provide for exclusions; to provide with respect to notice of privilege; to provide for the enforcement of the privilege by sale or other disposition; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 929 by Senator Hainkel

AMENDMENT NO. 1

On page 4, line 5, change "Paragraph (2) of" to "Paragraph (A)(2) of this Section" and at the beginning of line 6, delete "Subsection (A)"

AMENDMENT NO. 2

On page 4, at the end of line 16, change "Uniform Commercial Code" to "Commercial Laws, R.S. 10:1-101 through 9-710"

AMENDMENT NO. 3

On page 6, at the beginning of line 3, change "Subparagraph (c) of Paragraph (1)" to Subparagraph (1)(c) of this Subsection"

AMENDMENT NO. 4

On page 6, line 25, after "Subsection (B)" and before "access" insert "of this Section"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative G. Smith to Reengrossed Senate Bill No. 929 by Senator Hainkel

AMENDMENT NO. 1

On page 4, line 13, after "more than" change "ninety" to "one hundred eighty"

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—35		

NAYS

Total—0

ABSENT

Bajoie
Cravins
Total—4

Hines
Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 949— BY SENATOR SCHEDLER

AN ACT

To amend and reenact Civil Code Arts. 573 and 1514, to enact R.S. 9:1202, and to repeal Code of Civil Procedure Art. 3154.1, relative to security for a surviving spouse; to provide for forms of security for legal usufruct of a surviving spouse; to provide for dispensation of security of a surviving spouse; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 1011— BY SENATORS MICHOT AND SCHEDLER

AN ACT

To amend and reenact R.S. 39:1496.1(A) and (B) and to enact R.S. 39:1496.1(E), relative to performance based contracts; to provide for review, approval, and oversight of such contracts; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 1011 by Senators Michot and Schedler

AMENDMENT NO. 1

On page 1, delete line 3 and insert "39:1496.1(E), relative to performance-based energy efficiency contracts; to provide for the award of such contracts; to provide for audit, to provide for"

AMENDMENT NO. 2

On page 1, line 10 after "agency" delete the remainder of the line, delete lines 11 through 15 and on page 2, delete lines 1 and 2 and insert: "~~as defined in R.S. 39:2, board, or commission~~ may enter into a performance-based energy efficiency contract for services and equipment as provided in this Section. The commissioner of administration shall adopt and promulgate rules and regulations necessary to implement the provisions of this Section, which rules shall be consistent with the Energy Management Act of 2001. Any such rules and regulations shall be adopted and promulgated only after consultation with the Department of Natural Resources and the review and approval of the Joint Legislative Committee on the Budget. To the extent possible and practical, such rules and regulations shall provide for participation by units of local government."

AMENDMENT NO. 3

On page 2, at the beginning of line 3, insert "B."

AMENDMENT NO. 4

On page 2, at the beginning of line 5, delete "B."

AMENDMENT NO. 5

On page 2, delete line 7 and insert "this Chapter and specifically the provisions of Subsection E of this Section."

AMENDMENT NO. 6

On page 2, delete lines 10 through 26 and on page 3, delete lines 1 through 6 and insert:

E.(1) Prior to award of any performance-based energy efficiency contract, the response to the requests for proposals shall be evaluated as follows:

(a) The initial evaluation of the submitted proposals shall be conducted by the Department of Natural Resources. The Department of Natural Resources shall forward the results of its evaluation of such proposals to the commissioner of administration. The commissioner of administration shall select an independent third party evaluation consultant to review and evaluate the submitted proposals together with the evaluation of the Department of Natural Resources. The consultant shall submit the result of his evaluation to the commissioner of administration who shall review the initial evaluation by the Department of Natural Resources and the evaluation of the independent third party evaluation consultant. Upon completion of such review, the commissioner of administration shall notify the agency as to whether the contract has been approved or disapproved. If such contract is disapproved, the commissioner shall provide the reasons therefor in writing to the agency.

(b) An independent third party evaluation consultant shall have no present, contemplated, or future conflict of interest as to the agency, the proposals which the consultant is to evaluate, or to any proposer. Prior to the selection of such consultant, the legislative auditor shall certify that the consultant has no present, contemplated, or future conflict of interest as to the agency, the proposals which the consultant is to evaluate, or to any proposer.

(2) The legislative auditor shall conduct performance audits of performance-based energy efficiency contracts. The legislative auditor shall establish a schedule for execution of such performance audits, which schedule shall provide for periodic audits during the term of such contracts and for an audit upon the completion of any such contract. The results of any such performance audits shall be published no later than thirty days prior to the commencement of each Regular Session of the legislature.

(3) In order to fund the cost of the review, approval, oversight, and performance audits as provided in this Section, the request for proposal for the award of a performance-based energy efficiency contract shall require the proposer to pay a sum not to exceed two and one-half percent of the total value of the performance-based energy efficiency contract. The determination of the sum to be paid shall be made by the commissioner of administration according to the rules and regulations adopted herein.

Section 2. The initial rules and regulations adopted pursuant to the Act shall be adopted no sooner than February 1, 2004 and no later than the convening of the 2004 Regular Session of the legislature."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Reengrossed Senate Bill No. 1011 by Senator Michot

AMENDMENT NO. 1

In Amendment No. 2 proposed by the House Committee on Appropriations and adopted by the House on June 10, 2003, on page 1, line 17 of the amendment, after the period "." delete the remainder of the line and delete lines 18 and 19 in their entirety and insert the following: "The commissioner of administration shall submit the proposed rules and regulations to the Joint Legislative Committee on the Budget thirty days prior to the review and approval of such rules and regulations by the committee."

AMENDMENT NO. 2

In Amendment No. 6 proposed by the House Committee on Appropriations and adopted by the House on June 10, 2003, on page 2, at the beginning of line 5 of the amendment, delete "such proposals" and insert "each such proposal"

AMENDMENT NO. 3

In Amendment No. 6 proposed by the House Committee on Appropriations and adopted by the House on June 10, 2003, on page 2, line 39, change "review" to "evaluations, review"

Senator Michot moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adeley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Michot
Cain	Holden	Mount
Chaisson	Hollis	Romero
Cravins	Hoyt	Smith
Dardenne	Irons	Tarver
Dean	Johnson	Theunissen
Dupre	Jones, B	Thomas
Ellington	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Lambert	Schedler
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Michot moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1018—

BY SENATOR B. JONES

AN ACT

To enact R.S. 33:2740.55, relative to municipalities and parishes; to provide for the creation, composition and powers of a downtown development district in the city of Ruston; to provide for the preparation of plans, levy of special ad valorem taxes, and issuance of bonds and other instruments of indebtedness; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 1018 by Senator B. Jones

AMENDMENT NO. 1

On page 1, line 2, after "To enact" and before "relative to" delete "R.S. 33:2740.55," and insert in lieu thereof "R.S. 33:2740.55 and 2740.56,"

AMENDMENT NO. 2

On page 1, line 6, after "indebtedness;" and before "and to provide" insert "to provide with respect to the designation of certain historic districts as downtown development districts;"

AMENDMENT NO. 3

June 19, 2003

On page 1, line 9, after "Section 1." and before "hereby enacted" delete "R.S. 33:2740.55 is" and insert in lieu thereof "R.S. 33:2740.55 and 2740.56 are"

AMENDMENT NO. 4

On page 13, below line 13, insert the following:

"§2740.56. Downtown development district: certain municipalities A historic district created and provided for by ordinance by the governing authority of any municipality with a population of more than seven thousand five hundred fifty but less than seven thousand six hundred fifty persons according to the latest federal decennial census shall be deemed to be and shall be recognized as a downtown development district."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1018 by Senator B. Jones

AMENDMENT NO. 1

On page 5, line 16, following "Ruston" change "are" to "is"

Senator B. Jones moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Cravins
Total—2

Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator B. Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1111— BY SENATOR SCHEDLER

AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to public contracts; to provide that a preference be given to products printed in Louisiana; and to provide for related matters.

On motion of Senator Adley, the bill was read by title and returned to the Calendar, subject to call.

Mr. President in the Chair

SENATE BILL NO. 1126— BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 51:2453(1)(a)(i)(cc), relative to the quality jobs program; to provide for the percentage of health insurance premium to be paid by the employer for certain employees in order to qualify under the "Louisiana Quality Jobs Program Act"; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 1126 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 20, after "than" and before "percent" delete "fifty" and insert "seventy"

AMENDMENT NO. 2

On page 3, line 10, after "than" and before "percent" delete "fifty" and insert "seventy"

Senator Lentini moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hoyt	Smith
Chaisson	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones, B	Thomas
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—37		

NAYS

Hollis
Total—1

ABSENT

Schedler
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of taking up at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 1061—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 26:906(C), relative to the permit process for obtaining a registration certification or permit to sell tobacco products; to authorize a dealer or vending machine operator to pay the annual renewal fee for a registration certification or permit by check; and to provide for related matters.

The bill was read by title. Senator Lentini moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver
Dupre	Jones, B	Theunissen
Ellington	Jones, CD	Thomas
Fields	Lambert	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Cravins
Total—2

The Chair declared the bill was passed. The title was read and adopted. Senator Lentini moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1077—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 27:312(C)(1)(b)(introductory paragraph) and to enact R.S. 33:171(C), relative to municipal annexations; to provide relative to monies distributed to certain parishes and municipalities from the Video Draw Poker Device Fund relative to such annexations; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
---------------	--------	---------

Adley
Bajoie
Barham
Bean
Boissiere
Cain
Cravins
Dardenne
Dupre
Ellington
Total—32

Fontenot
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lambert

Malone
Marionneaux
Michot
Romero
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Dean
Total—2

Mount

ABSENT

Chaisson
Gautreaux
Total—5

Jones, B
McPherson

Schedler

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1085—

BY REPRESENTATIVE ERDEY

AN ACT

To enact R.S. 33:3819(D), relative to the Ward Two Water District of the Parish of Livingston; to increase the maximum per diem authorized to be paid to members of the governing board of the district for attending board meetings; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dupre
Ellington
Total—35

Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lambert

Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Romero
Smith
Theunissen
Thomas
Ullo

NAYS

Dean
Total—1

ABSENT

Jones, B
Total—3

Schedler

Tarver

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1098—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 38:2181(D), relative to public contracts; to provide for the venue for suits to enjoin the award of a competitively bid contract; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—37

Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Jones, B
Total—2

Schedler

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1142—

BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 40:2405(F), relative to peace officer training requirements; to provide for a suspension of training requirements for certain Louisiana National Guard military police during certain emergency circumstances; and to provide for related matters.

The bill was read by title. Senator Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean

Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B

Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Romero
Smith
Tarver
Theunissen
Thomas

Dupre
Ellington
Total—38

Jones, CD
Lambert

Ullo

NAYS

Total—0

ABSENT

Schedler
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1171—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:442(3)(b), (c), and (d) and to repeal R.S. 48:442(3)(e), relative to expropriation by the Department of Transportation and Development; to delete references to the office of highways; to provide relative to the persons required to sign or approve certain information annexed to the petition to expropriate; to repeal requirements relative to mailing notification to property owners; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—38

Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert

Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Romero
Smith
Romero
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Schedler
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1188—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 11:62, relative to state and statewide retirement systems; to provide with respect to employee contribution rates; and to provide for related matters.

June 19, 2003

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed House Bill No. 1188 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:62" add "and 444(A)(2), and to enact Subpart C-1 of Part VII of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:611 through 612"

AMENDMENT NO. 2

On page 1, line 3, between "rates;" and "and" and insert "to provide with for retirement eligibility criteria and benefits for certain public safety services employees in the Louisiana State Employees' Retirement System;"

AMENDMENT NO. 3

On page 1, line 9, change "is" to "and 444(A)(2) are" and between "reenacted" and "to" insert "Subpart C-1 of Part VII of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:611 through 612, is hereby enacted"

AMENDMENT NO. 4

On page 2, line 5, between "(b)" and "Public", insert "(i)" and change "service" to "services"

AMENDMENT NO. 5

On page 2, between lines 6 and 7, insert the following:

"(ii) Public safety services section two employees - 8.5%.

(aa) All public safety services section employees, as defined in R.S. 11:611, who have ended their participation in the Deferred Retirement Option Plan (DROP) but not employment, including probation and parole officers and commissioned officers of the Department of Public Safety and Corrections - 8.5%.

AMENDMENT NO. 6

On page 2, after line 26, add the following:

" * * *
§444. Computation of retirement benefit
A. * * *

(2) Public safety service employees as those employees are referred to as "member" or "members" in R.S. 11:601(B) shall receive a retirement allowance computed in accordance with R.S. 11:602. Notwithstanding any other provision of law to the contrary, all public safety services employees, as defined in R.S. 11:611, upon retirement, shall receive an annual retirement allowance equal to two and one-half percent of his average final compensation multiplied by his total years of creditable service which are served prior to and through June 30, 2003 and three and one-half percent of his average final compensation multiplied by his total years of creditable service which are served after June 30, 2003. However, the annual retirement allowance shall not exceed one hundred percent of the member's average final compensation.

SUBPART C-1. PUBLIC SAFETY SERVICES SECTION TWO**§611. Application; definitions**

A. Notwithstanding any other provision of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950 or any other laws to the contrary, the retirement of public safety services section two employees shall be governed by this Subpart, provided that with respect to matters not specifically covered by the provisions of this Subpart, the applicable provisions of Chapter 1 of Subtitle II of Title 11 shall prevail.

B. For purposes of this Subpart, the words "member" or "members" means the weights and standards police of the Department of Public Safety and Corrections, levee district police officers, and port commission police officers. This Subpart shall not apply to employees of the Lake Charles Harbor and Terminal District.

§612. Eligibility for membership

Any person who is a member of a public safety services section two agency, as defined in this Subpart, shall be eligible for membership in the retirement component for public safety services which is a component of the Louisiana State Employees' Retirement System."

On motion of Senator Michot, the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Schedler
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1204—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2180.2(C) and 2180.3(C)(3) and to enact R.S. 11:2178.1(C)(14) and 2180.5, relative to the Sheriffs' Pension and Relief Fund; to provide for calculation of Back-DROP benefits to assure compliance with the Internal Revenue Code, for an increase in the annual compensation limit subject to federal law that is used for purposes of certain calculations used in determining benefits, for the definition of "eligible retirement plan" for purpose of transfers of benefits, and for creation of an excess benefit plan; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Engrossed House Bill No. 1204 by Representative Montgomery

June 19, 2003

AMENDMENT NO. 1

On page 1, line 2, after "R.S." insert "11:2175(E)(1),"

AMENDMENT NO. 2

On page 2, line 1, after "R.S." insert "11:2175(E)(1),"

AMENDMENT NO. 3

On page 2, between lines 3 and 4, insert the following:

"§2175. Blanket fidelity insurance policy; powers of board; refund of contributions; restrictions on payments; warrants; deposits; investments

* * *

(E)(1) The board of trustees shall not authorize, grant, or pay any retirement or disability benefits to any person employed by or in the office of any sheriff of any parish of the state of Louisiana except that the board may authorize, grant, or pay a retirement or disability benefit to any retiree who is reemployed in a sheriff's office on a part-time basis provided their earnings in a fiscal year shall not exceed an amount based upon the following limitations. For reemployment during the ~~twenty-four~~ twelve months immediately following the date of retirement, the retiree's earnings shall not exceed thirty-three and one-third percent of the final average compensation at the time of retirement. For reemployment continuing or beginning in the ~~twenty-fifth~~ thirteenth month immediately following the date of retirement and thereafter, the retiree's earnings shall not exceed ~~fifty~~ seventy-five percent of the final average compensation at the time of retirement. Such part-time reemployment shall not result in any additional creditable service time and no employer or employee contribution shall be paid on the retiree's behalf. Part-time reemployment shall have no effect on the provisions for full-time reemployment as set forth hereafter in this Subsection."

Senator Boissiere moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President	Michot
Jones, B	Schedler
Total—4	

The Chair declared the amendments were adopted.

The bill was read by title. Senator Boissiere moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Fields	Lentini	
Total—34		

NAYS

Dean
Total—1

ABSENT

Mr. President	Schedler
Jones, B	Thomas
Total—4	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1237—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact Code of Civil Procedure Articles 2332(A), 2636(1), and 3722 and to repeal Code of Civil Procedure Article 2639, relative to foreclosure; to provide for appraisals in judicial sales under fieri facias; to provide for authentic evidence in executory proceedings; to provide for enforcement by ordinary process; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Adley	Fields	Malone
Bajoie	Fontenot	Marionneaux
Barham	Gautreaux	McPherson
Bean	Heitmeier	Michot
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Jones, B	Lentini	Schedler
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June 19, 2003

Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1255—

BY REPRESENTATIVE PEYCHAUD
AN ACT

To amend and reenact R.S. 9:2800(C) and (E), relative to limitations of liability for public entities; to provide a limitation of liability for public entities responding to reports of dangerous conditions; to provide definitions; and to provide for related matters.

The bill was read by title. Senator Boissiere moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Jones, CD
Adley	Fields	Lambert
Bajoie	Fontenot	Malone
Barham	Gautreaux	Marionneaux
Bean	Heitmeier	McPherson
Boissiere	Hines	Mount
Cain	Holden	Romero
Chaisson	Hollis	Smith
Cravins	Hoyt	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dupre	Jones, B	
Total—35		

NAYS

Total—0

ABSENT

Lentini	Schedler
Michot	Ullo
Total—4	

The Chair declared the bill was passed. The title was read and adopted. Senator Boissiere moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1259—

BY REPRESENTATIVE ILES

AN ACT

To amend and reenact R.S. 9:315.45(B)(1), relative to drivers' licenses; to provide relative to the suspension of a driver's license for nonpayment of child support; and to provide for related matters.

On motion of Senator Mount, the bill was read by title and returned to the Calendar, subject to call.

HOUSE BILL NO. 1278—

BY REPRESENTATIVES SCHNEIDER, DANIEL, AND TRICHE
AN ACT

To amend and reenact R.S. 11:103(B)(3)(e)(i), (ii), and (iv), relative to the Municipal Police Employees' Retirement System; to provide for the determination of the employer contribution rate; to change the period for amortization of certain changes in actuarial liability from fifteen years to thirty years; to provide for an effective date; and to provide for related matters.

The bill was read by title. Senator Mount moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Adley	Fontenot	Malone
Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Romero
Cain	Hollis	Smith
Chaisson	Hoyt	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Thomas
Dupre	Jones, B	Ullo
Ellington	Jones, CD	
Total—35		

NAYS

Dean
Total—1

ABSENT

Lentini	McPherson	Schedler
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Mount moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1307—

BY REPRESENTATIVE LAFLEUR
AN ACT

To amend and reenact R.S. 40:432 and to enact R.S. 40:384(28), relative to local housing authorities; to provide for definitions; to authorize the collection of criminal history record information on applicants for public housing and vouchers under Housing Choice Voucher programs; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 1307 by Representative LaFleur

AMENDMENT NO. 1

On page 1, line 2, after "enact" insert "R.S. 15:587(E) and"

AMENDMENT NO. 2

On page 1, between lines 7 and 8, insert the following:

"Section 1. R.S. 15:587(E) is hereby enacted to read as follows:
§587. Duty to provide information; processing fees; Louisiana Bureau of Criminal Identification and Information.

* * *

E. Pursuant to approval of the local housing authority's board of commissioners, acting through one or more of its commissioners or other designees, a local housing authority may obtain criminal history record and identification file of any person applying for public housing if the applicant has signed a consent form authorizing the release of such criminal history records and identification. Upon written request and upon presentation of a signed consent form executed by the applicant, the bureau shall provide the criminal history record of and identification file information of the applicant

June 19, 2003

to the requestor in a timely manner. For the purposes of this Subsection "conviction records" shall include only those records which are electronically maintained by the bureau, and are records of a finding of guilty, a plea of guilty or nolo contendere, including those which have been set aside or dismissed [pursuant to Code of Criminal Procedure Articles 893 or 894, or for which an individual has received an automatic first offender pardon. It shall not include those records which have been ordered expunged pursuant to R.S. 44:9. The provisions of R.S. 15:587(B) shall apply to any request made pursuant to this Subsection."

AMENDMENT NO. 3

On page 3, line 2, after "housing" insert "as provided for by R.S. 15:587(E)"

On motion of Senator Hines, the amendments were adopted.

The bill was read by title. Senator Hines moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Adley	Fields	Lentini
Bajoie	Fontenot	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones, B	Thomas
Dupre	Jones, CD	Ullo
Total—36		

NAYS

Total—0

ABSENT

Gautreaux	Romero	Schedler
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Recess

On motion of Senator C. Jones, the Senate took a recess until 1:00 o'clock P.M.

After Recess

The Senate was called to order at 1:00 o'clock P.M. by the President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Fields	Lentini
Adley	Fontenot	Malone

Bajoie	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—39		

ABSENT

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

Senate Business Resumed

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 761—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 14:42(A)(4) and to enact Code of Criminal Procedure Art. 336.1, relative to certain sex offenses; to provide relative to the crime of aggravated rape; to raise the age of the victim as an element of such crime; to require certain considerations by the court in determining release on bail for offenses of such crime; to provide relative to the conditions of release on bail for an indictment for such a crime; to provide relative to electronic monitoring; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 867—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact Subpart C-2 of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1519 through 1519.13, and R.S. 46:6, to enact Chapter 59 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2761, and to repeal R.S. 46:6(B) and (C), relative to the Louisiana State University Health Sciences

Center-Health Care Services Division; to provide for definitions; to provide for structure, duties, powers, and responsibilities of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to govern the division; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 501 by Representative Swilling:

Representatives Swilling, Broome and Murray.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 713 by Representative Hutter:

Representatives Hutter, Diez and Montgomery.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 409 by Representative Martiny, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 370 by Representative Fauchaux, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 604 by Representative Devillier, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 784 by Representative Daniel, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 795 by Representative Martiny, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 812 by Representative Townsend, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1935 by Representative Katz, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 11 by Senator Dupre:

Representatives Lancaster, Montgomery and Bruneau.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate

Amendment(s) to House Bill No. 398 by Representative Baldone, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 236 by Representative Townsend, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1043 by Representative Fauchaux:

Representatives Fauchaux, Broome and Quezaire.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1944 by Representative Montgomery:

Representatives Montgomery, Martiny and L. Jackson.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1934 by Representative Baldone:

Representatives Baldone, Johns, and Montgomery.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House
HOUSE CONFEREES APPOINTED

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 622 by Representative Pinac:

Representatives Pinac, Alexander and Alario.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Appointment of Conference Committee
on House Bill No. 219

The President of the Senate appointed on the Conference Committee on House Bill No. 219 the following members of the Senate: Senators Boissiere, Dean and Hoyt.

Appointment of Conference Committee
on House Bill No. 995

The President of the Senate appointed on the Conference Committee on House Bill No. 995 the following members of the Senate: Senators Boissiere, Dupre and Gautreaux.

Appointment of Conference Committee
on House Bill No. 713

The President of the Senate appointed on the Conference Committee on House Bill No. 713 the following members of the Senate: Senators Heitmeier, Dupre and Chaisson.

Appointment of Conference Committee
on House Bill No. 236

The President of the Senate appointed on the Conference Committee on House Bill No. 236 the following members of the Senate: Senators McPherson, Romero and Marionneaux.

Introduction of
Senate Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 148—

BY SENATORS IRONS AND BOISSIERE AND REPRESENTATIVE SCHWEGMANN

A CONCURRENT RESOLUTION

To urge and request the University of New Orleans to develop a plan to establish and operate a university laboratory middle school.

The resolution was read by title. Senator Irons moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	McPherson
Bajoie	Heitmeier	Michot
Barham	Hines	Mount
Bean	Hollis	Schedler
Boissiere	Hoyt	Smith
Cain	Irons	Tarver
Dardenne	Jones, B	Theunissen
Dean	Jones, CD	Ullo
Dupre	Lambert	
Ellington	Lentini	
Total—31		

NAYS

Total—0

ABSENT

Chaisson	Holden	Romero
Cravins	Johnson	Thomas
Fields	Marionneaux	
Total—8		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 188—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Health and Hospitals to compile and release in the annual statistical report the number of abortions by parish and municipality and complications related thereto.

HOUSE CONCURRENT RESOLUTION NO. 235—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2003, and as subsequently revised pursuant to board action on May 15, 2003.

HOUSE CONCURRENT RESOLUTION NO. 206—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals and the Louisiana Nursing Home Association to work in conjunction to develop and implement a pilot program to study the practicality of installing electronic monitoring devices in nursing home facilities, as defined by R.S. 40:2009.2 and licensed by the Department of Health and Hospitals.

HOUSE CONCURRENT RESOLUTION NO. 143—

BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to take all steps necessary to maximize the reimbursement to schools of the cost of administering and providing medical and related services needed by Medicaid-eligible special education students.

HOUSE CONCURRENT RESOLUTION NO. 205—

BY REPRESENTATIVE TOOMY

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of LAC 4:III.119(C)(1)(c) requiring that any vendor receiving payment through voluntary payroll deductions for state employees have individual product participation which exceeds one thousand participating employees.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 143—

BY REPRESENTATIVE TUCKER

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals to take all steps necessary to maximize the reimbursement to schools of the cost of administering and providing medical and related services needed by Medicaid-eligible special education students.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 188—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Health and Hospitals to compile and release in the annual statistical report the number of abortions by parish and municipality and complications related thereto.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Hollis	Schedler
Cain	Hoyt	Smith
Dardenne	Jones, B	Tarver
Dean	Jones, CD	Theunissen
Dupre	Lambert	Ullo
Total—30		

NAYS

Total—0

ABSENT

Chaisson	Holden	Marionneaux
Cravins	Irons	Romero
Fields	Johnson	Thomas
Total—9		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 205—

BY REPRESENTATIVE TOOMY

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of LAC 4:III.119(C)(1)(c) requiring that any vendor receiving payment through voluntary payroll deductions for state employees have individual product participation which exceeds one thousand participating employees.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 206—

BY REPRESENTATIVE BROOME

A CONCURRENT RESOLUTION

To direct the Department of Health and Hospitals and the Louisiana Nursing Home Association to work in conjunction to develop and implement a pilot program to study the practicality of installing electronic monitoring devices in nursing home facilities, as defined by R.S. 40:2009.2 and licensed by the Department of Health and Hospitals.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Fontenot	Malone
Bajoie	Gautreaux	McPherson
Barham	Heitmeier	Michot
Bean	Hines	Mount
Boissiere	Holden	Schedler
Cain	Hollis	Smith
Dardenne	Hoyt	Tarver
Dean	Irons	Theunissen
Dupre	Jones, CD	Ullo
Ellington	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Chaisson	Jones, B	Thomas
Cravins	Marionneaux	
Johnson	Romero	
Total—7		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 235—

BY REPRESENTATIVE CRANE AND SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To provide for legislative approval of the formula to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems as developed by the State Board of Elementary and Secondary Education and adopted by the board on March 12, 2003, and as subsequently revised pursuant to board action on May 15, 2003.

On motion of Senator Lambert, the resolution was read by title and referred to the Committee on Education.

Rules Suspended

Senator Theunissen asked for and obtained a suspension of the rules for the purpose of hearing House Concurrent Resolution No. 235 in the Committee on Education without the required 24 hour notice.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**LOCAL AND MUNICIPAL AFFAIRS**

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

June 19, 2003

To the President and Members of the Senate:

I am directed by your Committee on Local and Municipal Affairs to submit the following report:

HOUSE CONCURRENT RESOLUTION NO. 209—

BY REPRESENTATIVE GUILLORY AND SENATOR MOUNT

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of Subpart B-28 of Part IV of Chapter I of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.551 through 130.559, relative to the North Lake Charles Economic Development District, to suspend all aspects and provisions of law with respect to the North Lake Charles Economic Development District.

Reported favorably.

HOUSE BILL NO. 1685—

BY REPRESENTATIVES PEYCHAUD AND MURRAY

AN ACT

To amend and reenact Sections 7(c), 9(b), (d), and (e), and 20(l) of Act No. 170 of the 1968 Regular Session as amended by Act No. 299 of the 1972 Regular Session and Act No. 135 of the 1994 Third Extraordinary Session, relative to the New Orleans Community Improvement Act; to provide relative to electorate approval of community improvement plans undertaken by the New Orleans Redevelopment Authority; to provide with respect to disposition of property by the authority; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1757—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 33:2740.55, to create the Southwest Ouachita Economic Development District; to provide relative to the purpose, boundaries, and governance of the district; to provide relative to district plans; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1892—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 33:2493(C)(3), relative to admission requirements for certain fire or police service tests; to remove the requirement that an applicant for certain fire or police service tests shall be a qualified elector of the state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2007 (Substitute for House Bill No. 1502 by Representative Landrieu)—

BY REPRESENTATIVES LANDRIEU, MURRAY, AND PEYCHAUD

AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.11, relative to expropriation by a declaration of taking; to provide for legislative intent; to provide for definitions; to provide for applicability to municipalities with a population greater than four hundred fifty thousand; to provide for the authority to expropriate; to provide for the contents of the petition; to provide for a determination of value; to provide for vesting of title; to provide for notice; to provide for opposition and waiver of defenses; to provide for procedures and delays for filing an answer; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOIE
Chairman

**House Bills and Joint Resolutions
on Second Reading
Reported by Committees**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 1685—

BY REPRESENTATIVES PEYCHAUD AND MURRAY
AN ACT

To amend and reenact Sections 7(c), 9(b), (d), and (e), and 20(l) of Act No. 170 of the 1968 Regular Session as amended by Act No. 299 of the 1972 Regular Session and Act No. 135 of the 1994 Third Extraordinary Session, relative to the New Orleans Community Improvement Act; to provide relative to electorate approval of community improvement plans undertaken by the New Orleans Redevelopment Authority; to provide with respect to disposition of property by the authority; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1757—

BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2740.55, to create the Southwest Ouachita Economic Development District; to provide relative to the purpose, boundaries, and governance of the district; to provide relative to district plans; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1892—

BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2493(C)(3), relative to admission requirements for certain fire or police service tests; to remove the requirement that an applicant for certain fire or police service tests shall be a qualified elector of the state; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2007 (Substitute for House Bill No. 1502 by Representative Landrieu)—

BY REPRESENTATIVES LANDRIEU, MURRAY, AND PEYCHAUD
AN ACT

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.11, relative to expropriation by a declaration of taking; to provide for legislative intent; to provide for definitions; to provide for applicability to municipalities with a population greater than four hundred fifty thousand; to provide for the authority to expropriate; to provide for the contents of the petition; to provide for a determination of value; to provide for vesting of title; to provide for notice; to provide for opposition and waiver of defenses; to provide for procedures and delays for filing an answer; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Bill No. 2007 by Representative Landrieu

AMENDMENT NO. 1

On page 5, line 9, between "not" and "object" insert "(1)"

AMENDMENT NO. 2

On page 5, line 10, between "purpose" and the comma "," insert "or (2) he fails to show that the blighted conditions of the property have been or are in the process of being rehabilitated"

AMENDMENT NO. 3

On page 5, line 13, between "(E)" and "456" change the "and" to a comma ","

AMENDMENT NO. 4

On page 5, line 14, between "(B)" and "as" insert "and"

AMENDMENT NO. 5

On page 7, line 24, between "that" and "the property" insert "(1)"

AMENDMENT NO. 6

On page 7, line 25, between "purpose" and "shall" insert "or (2) the blighted conditions of the property have been or are in the process of being rehabilitated."

AMENDMENT NO. 7

On page 8, delete lines 6 through 14 in their entirety

AMENDMENT NO. 8

On page 8, at the beginning of line 15, change "C." to "B."

AMENDMENT NO. 9

On page 8, at the end of line 17, delete "and the"

AMENDMENT NO. 10

On page 8, line 18, delete "failure of the defendant to appear at the rule to show cause,"

AMENDMENT NO. 11

On page 8, line 19, after "dismiss" delete the remainder of the line and insert a period "."

AMENDMENT NO. 12

On page 8, at the beginning of line 20, change "the" to "The"

AMENDMENT NO. 13

On page 8, at the end of line 21, delete "or rule to show"

AMENDMENT NO. 14

On page 8, at the beginning of line 22, delete "cause,"

On motion of Senator Bajoie, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just reported by Committees.

HOUSE CONCURRENT RESOLUTION NO. 209—
 BY REPRESENTATIVE GUILLORY AND SENATOR MOUNT
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2004 Regular Session of the Legislature the provisions of Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.551 through 130.559, relative to the North Lake Charles Economic Development District, to suspend all aspects and provisions of law with respect to the North Lake Charles Economic Development District.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the resolution was read by title and referred to the Legislative Bureau.

**House Bills and Joint Resolutions on
 Third Reading
 and Final Passage, Resumed**

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 1 out of its regular order.

HOUSE BILL NO. 1—
 BY REPRESENTATIVE LEBLANC
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee No. 1 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 1, line 2, change "\$137,568,000" to "\$142,568,000"

AMENDMENT NO. 2

In Senate Committee Amendment No. 86 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 10, delete lines 25 through 30 in their entirety

AMENDMENT NO. 3

In Senate Committee Amendment No. 136 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 17, line 8, between "that" and "Senate" insert "House Bill No. 1904 or"

AMENDMENT NO. 4

In Senate Committee Amendment No. 181 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 20, at the end of line 30, change "Board" to a dash "-" and on line 31, change "of Supervisors" to "A&M College"

AMENDMENT NO. 5

In Senate Committee Amendment No. 222 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 25, line 8, after "operations" insert "through the Office of Social Service Research and Development at Louisiana State University - A&M college"

AMENDMENT NO. 6

In Senate Committee Amendment No. 227 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 25, at the end of line 18, change "\$1,050,949,392" to "\$1,050,588,160"

AMENDMENT NO. 7

In Senate Committee Amendment No. 228 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 25, at the end of line 18, change "\$1,050,949,392" to "\$1,050,588,160"

AMENDMENT NO. 8

In Senate Committee Amendment No. 231 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 25, at the end of line 18, change "\$1,050,949,392" to "\$1,050,588,160"

AMENDMENT NO. 9

On Page 16, between lines 15 and 16, insert the following:

"Payable out of the State General Fund by
 Interagency Transfers to the Executive
 Administrative Program for consolidation
 of Information Technology functions within
 State government, including one (1) position \$758,169"

AMENDMENT NO. 10

On page 62, between lines 15 and 16, insert the following:

"Payable out of the State General Fund (Direct)
 for the CITGO Bassmasters tournament in
 Monroe \$15,000

Payable out of the State General Fund (Direct)
 for the New Orleans Visitors and Information
 Center \$50,000"

AMENDMENT NO. 11

On page 93, delete line 24 in its entirety

AMENDMENT NO. 12

On page 121, line 8, delete "(345)" and insert "(333)"

AMENDMENT NO. 13

On page 166, line 39, change "208,118,590" to "207,757,358"

AMENDMENT NO. 14

On page 167, line 50, change "312,898,357" to "312,537,125"

AMENDMENT NO. 15

In Senate Committee Amendment No. 232 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 26, delete lines 2 through 14 in their entirety

AMENDMENT NO. 16

On page 169, between lines 26 and 27, insert the following:

"Payable out of the State General Fund By
 Interagency Transfer for the Truancy Assessment
 and Service Centers (TASC) operations associated
 with Temporary Assistance for Needy Families
 (TANF) \$2,430,192

Payable out of the State General Fund by Interagency

Transfers for Truancy Assessment and Service Centers (TASC) operations \$1,925,512

Provided, however, none of the funds allocated herein to Louisiana State University - A&M College for TASC operations through the Office of Social Service Research and Development shall be used for indirect finance and administration costs."

AMENDMENT NO. 17

On page 239, delete lines 32 through 37, and insert in lieu thereof the following:

"Average total number of offenders housed per day	17,176
Average number of adults housed per day	17,036
Average number of adults housed per day in work release	700
Average number of juveniles housed per day	140
Percentage of adult inmate population in local jails	47.14%
Percentage of juvenile inmate population housed in local jails	10.50%"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

In SCA No. 2 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 1, delete lines 6 through 10 and insert the following: "State General Fund (Direct) appropriations contained in this Act by seven-tenths of one percent (.7%) across-the-board, or so much thereof more or less as may be necessary, to effect a savings of \$15,800,000. For the purposes of this reduction, discretionary expenditures shall not include expenditure items described as non-discretionary in the Fiscal Year 2003-2004 Executive Budget."

AMENDMENT NO. 2

In SCA No. 2 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 1, delete lines 19 through 35 in their entirety

AMENDMENT NO. 3

In SCA No. 76 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 8, line 19, change "25,000" to "75,000"

AMENDMENT NO. 4

In SCA No. 78 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 8, line 34, change "150,000" to "75,000"

AMENDMENT NO. 5

In SCA No. 80 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 10, line 5, change "20,000" to "15,000"

AMENDMENT NO. 6

In SCA No. 133 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 16, delete lines 16 through 20 in their entirety

AMENDMENT NO. 7

In SCA No. 215 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 24, at the end of line 30, change "97,827,308" to "95,577,308"

AMENDMENT NO. 8

In SCA No. 216 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 24, at the end of line 32, change "97,827,308" to "95,577,308"

AMENDMENT NO. 9

In SCA No. 217 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 24, at the end of line 34, change "41,170,322" to "38,920,322"

AMENDMENT NO. 10

In SCA No. 218 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 24, at the end of line 22, change "97,827,308" to "95,577,308"

AMENDMENT NO. 11

In SCA No. 238 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 27, delete lines 19 through 21 in their entirety

AMENDMENT NO. 12

In SCA No. 307 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 34, at the end of lines 21 and 26, change "20,000" to "15,000"

AMENDMENT NO. 13

In SCA No. 325 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 36, delete lines 12 and 13 in their entirety and insert in lieu thereof the following: "for Inner City HIV Aids and Cancer Awareness Project \$80,000"

AMENDMENT NO. 14

In SCA No. 325 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003, on page 36, delete line 26 and insert in lieu thereof "to the Cancer, Obesity, and Wellness Project"

AMENDMENT NO. 15

On page 7, line 29, change "Year" to "Years 2001-2002 and"

AMENDMENT NO. 16

On page 12, line 23, change "110,000" to "50,000"

AMENDMENT NO. 17

On page 14, line 3, change "87,429,390" to "86,429,390"

AMENDMENT NO. 18

On page 15, line 45, change "185,944,995" to "184,944,995"

AMENDMENT NO. 19

On page 15, line 53, change "3,000,000" to "2,000,000"

AMENDMENT NO. 20

On page 15, line 55, change "185,944,995" to "184,944,995"

AMENDMENT NO. 21

On page 16, delete lines 16 through 18 in their entirety

AMENDMENT NO. 22

On page 20, between lines 2 and 3, insert the following:

"Provided, however, that two (2) additional positions will have the responsibility for the implementation and operation of the Strategies To Empower People (STEP) program funded through the Temporary Assistance to Needy Families (TANF) block grant provided through the Department of Social Services, Office of Family Support. Such positions shall only be available to the extent TANF block grant funding is made available to support these activities."

AMENDMENT NO. 23

On page 33, delete lines 21 through 23 in their entirety

AMENDMENT NO. 24

On page 62, between lines 15 and 16, insert the following:

"Provided, however, of the monies appropriated herein out of the State General Fund (Direct), the amount of \$30,000 shall be allocated for women's bass fishing tournaments.

Payable out of the State General Fund (Direct) for the Southern University - New Orleans Urban Tourism and Marketing Program	\$100,000"
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AMENDMENT NO. 25

On page 87, line 36, change "1,500,000" to "2,000,000"

AMENDMENT NO. 26

On page 99, line 8, change "180,000" to "90,000"

AMENDMENT NO. 27

On page 100, line 43, change "165,160,053" to "72,360,053"

AMENDMENT NO. 28

On page 101, line 26, change "165,160,053" to "72,360,053"

AMENDMENT NO. 29

On page 101, line 28, change "52,779,735" to "6,379,735"

AMENDMENT NO. 30

On page 101, line 33, change "108,318,178" to "61,918,178"

AMENDMENT NO. 31

On page 101, line 34, change "165,160,053" to "72,360,053"

AMENDMENT NO. 32

On page 101, between lines 34 and 35, insert the following:

**"GOVERNOR'S SUPPLEMENTARY BUDGET
RECOMMENDATIONS**
(Contingency upon Fiscal Year 2002-2003 Debt Defeasance)

EXPENDITURES:	
For the Medical Vendor Administration	<u>\$92,800,000</u>
TOTAL EXPENDITURES	<u>\$92,800,000</u>

MEANS OF FINANCE:	
State General Fund (Direct)	\$46,400,000
Federal Funds	<u>\$46,400,000</u>

TOTAL MEANS OF FINANCING	<u>\$92,800,000"</u>
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AMENDMENT NO. 33

On page 104, between lines 13 and 14, insert the following:

"Provided, however, that in the event the department is required, due to budgetary constraints, to limit or reduce Medicaid claims reimbursements for inpatient hospital services in the Payments to Private Providers Program, the department is hereby directed to implement these adjustments in such a manner that minimizes the impact on those hospitals serving a disproportionate share of Medicaid patients as a percent of total patient days, subject to the approval of the Centers for Medicare and Medicaid Services.

Provided, however, that the department is hereby directed to amend, subject to the approval of the Centers for Medicare and Medicaid Services, the current payment methodology for the reimbursement of uncompensated care costs payments to small, rural hospitals to establish a pool not to exceed \$1,200,000 to be reimbursed in amounts not to exceed \$300,000 of eligible costs to each of the four hospitals that will qualify for licensure by the department as a small, rural hospital in the event Senate Bill No. 500 of the 2003 Regular Session is enacted into law. Provided, further, that the payments from the pool authorized herein shall be funded out

of the total amount allocated herein for payments of uncompensated care costs to small, rural hospitals.

EXPENDITURES:

For the Payments to Private Providers Program for increases in the Medicaid reimbursement rates and mileage paid for air ambulance transportation services	<u>\$294,002</u>
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TOTAL EXPENDITURES	<u>\$294,002</u>
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MEANS OF FINANCE:

State General Fund (Direct)	\$75,000
Federal Funds	<u>\$219,002</u>

TOTAL MEANS OF FINANCING	<u>\$294,002"</u>
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AMENDMENT NO. 34

On page 130, line 53, change "1,500,000" to "2,000,000"

AMENDMENT NO. 35

On page 141, delete lines 11 through 13 in their entirety

AMENDMENT NO. 36

On page 145, between lines 35 and 36, insert the following:

"Payable out of the State General Fund (Direct) for the Litter Abatement Program to be administered by the Office of Environmental Services, pursuant to R.S. 30:2532	\$200,000"
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AMENDMENT NO. 37

On page 147, delete lines 19 through 21 in their entirety

AMENDMENT NO. 38

On page 150, between lines 34 and 35, insert the following:

"Provided, however, that within the Office of Workforce Development/Job Training and Placement Program two (2) additional positions will have the responsibility for the implementation and operation of the Strategies To Empower People (STEP) program funded through the Temporary Assistance to Needy Families (TANF) block grant provided through the Department of Social Services, Office of Family Support. Such positions shall only be available to the extent TANF block grant funding is made available to support these activities."

AMENDMENT NO. 39

On page 164, delete lines 49 and 50 in their entirety

AMENDMENT NO. 40

On page 165, delete lines 1 and 2, and insert the following:

"Payable out of the State General Fund (Direct) for Health Care Workforce Development at Delgado Community College	\$2,250,000"
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AMENDMENT NO. 41

On page 165, between lines 19 and 20, insert the following:

"Payable out of the State General Fund (Direct) for Performance and Quality Improvement Pool activities	\$69,000
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Provided, however, that the State General Fund (Direct) appropriation above for the Performance and Quality Improvement Pool activities shall be allocated in accordance with a plan adopted by the Board of Regents and approved by the Division of Administration."

AMENDMENT NO. 42

On page 165, delete lines 20 through 22 in their entirety

AMENDMENT NO. 43

On page 167, between lines 47 and 48, insert the following:

“Payable out of the State General Fund (Direct)
for Performance and Quality Improvement Pool
activities \$366,530

Provided, however, that the State General Fund (Direct)
appropriation above for the Performance and Quality Improvement
Pool activities shall be allocated in accordance with a plan adopted
by the LSU Board of Supervisors and approved by the Board of
Regents and the Division of Administration.

Payable out of the State General Fund (Direct)
for payment of debt service payments for the
the LSU Charity Hospital Nursing Building \$1,000,000”

AMENDMENT NO. 44

On page 169, delete lines 3 through 5 in their entirety

AMENDMENT NO. 45

On page 170, delete lines 31 and 32 in their entirety

AMENDMENT NO. 46

On page 171, delete lines 35 through 37 in their entirety

AMENDMENT NO. 47

On page 175, delete lines 55 through 57 in their entirety

AMENDMENT NO. 48

On page 179, between lines 29 and 30, insert the following:

“Payable out of the State General Fund (Direct)
for Performance and Quality Improvement Pool
activities \$200,247

Provided, however, that the State General Fund (Direct)
appropriation above for the Performance and Quality Improvement
Pool activities shall be allocated to institutions within the Southern
University System in accordance with a plan adopted by the Southern
University Board of Supervisors and approved by the Board of
Regents and the Division of Administration.”

AMENDMENT NO. 49

On page 180, delete lines 26 through 28 in their entirety

AMENDMENT NO. 50

On page 182, delete lines 56 through 58 in their entirety

AMENDMENT NO. 51

On page 185, between lines 24 and 25, insert the following:

“Payable out of the State General Fund (Direct)
for Performance and Quality Improvement Pool
activities \$689,223

Provided, however, that the State General Fund (Direct)
appropriation above for the Performance and Quality Improvement
Pool activities shall be allocated to institutions within the University
of Louisiana System in accordance with a plan adopted by the
University of Louisiana Board of Supervisors and approved by the
Board of Regents and the Division of Administration.”

AMENDMENT NO. 52

On page 186, delete lines 24 through 26 in their entirety

AMENDMENT NO. 53

On page 187, delete lines 29 through 31 in their entirety

AMENDMENT NO. 54

On page 188, delete lines 38 through 40 in their entirety

AMENDMENT NO. 55

On page 189, delete lines 44 through 46 in their entirety

AMENDMENT NO. 56

On page 190, delete lines 53 through 55 in their entirety

AMENDMENT NO. 57

On page 191, delete lines 52 through 54 in their entirety

AMENDMENT NO. 58

On page 192, delete lines 52 through 54 in their entirety

AMENDMENT NO. 59

On page 193, delete lines 60 through 62 in their entirety

AMENDMENT NO. 60

On page 202, delete lines 16 through 18 in their entirety

AMENDMENT NO. 61

On page 228, delete lines 20 through 22 and insert the following:

“Payable out of funds appropriated as State
General Fund (Direct) to Subgrantee Assistance
for Fiscal Year 2003-2003, which remain
unexpended or unencumbered as of June 30,
2003, and allocated pursuant to the cooperative
endeavor agreement executed by the Louisiana
Department of Education and the Tangipahoa
Parish School Board on March 25, 2003, to be
reappropriated to the School Accountability and
Improvement Program for payment of claims
by former employees of the Northwood Preparatory
High School for earned but unpaid wages and
benefits, but only in the event that House Bill
No. 1157 of the 2003 Regular Session of the
Legislature is enacted into law \$300,000”

AMENDMENT NO. 62

On page 248, between lines 25 and 26, insert the following:

“Payable out of the State General Fund
by Statutory Dedications out of the
Washington Parish Infrastructure and Park
Fund to the Rural Health Foundation,
in accordance with R.S. 47:332.8 \$10,000”

AMENDMENT NO. 63

On page 251, line 24, change “80,000” to “40,000”

AMENDMENT NO. 64

On page 252, line 10, change “175,000” to “87,500”

AMENDMENT NO. 65

On page 252, between lines 21 and 22, insert the following:

“Payable out of the State General Fund (Direct)
for the Recreation and Park Commission of East
Baton Rouge Parish Senior Citizens Programs \$5,000

Payable out of the State General Fund (Direct)
to the American Power Boat Association \$25,000”

AMENDMENT NO. 66

On page 253, delete lines 31 through 33 in their entirety

AMENDMENT NO. 67

On page 253, lines 36, 37, 39, and 40, change “2,000,000” to
“1,000,000”

AMENDMENT NO. 68

Delete SCA Nos. 3, 57, 70, 118, 196, 244, 254, 312, and 322 proposed by the Senate Committee on Finance and adopted by the Senate June 17, 2003

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 32, at the end of lines 53 and 54, change "25,757,138" to "24,980,904"

AMENDMENT NO. 2

On page 33, at the end of line 4, change "5,315,077" to "4,911,421"

AMENDMENT NO. 3

On page 33, at the end of line 5, change "7,724,262" to "7,351,684"

AMENDMENT NO. 4

On page 33, at the end of line 7, change "25,757,138" to "24,980,904"

AMENDMENT NO. 5

On page 33, line 8, change "\$669,358" to "\$654,360"

AMENDMENT NO. 6

On page 36, delete lines 34 through 41 and insert in lieu thereof the following:

"Payable out of the State General Fund (Direct)
to the Civil Program for civil legal services
for the poor \$300,000

Provided, however, that of the funds appropriated herein, the monies shall be divided equally among the following legal services corporations: Acadiana Legal Service Corporation, Capital Area Legal Services Corporation, Legal Services of North Louisiana, and Southeast Louisiana Legal Services Corporation."

On motion of Senator Dardenne, the amendments were adopted.

Motion

Senator Dardenne moved to adopt the preamble and lay that motion on the table.

Without objection, the preamble was adopted.

Motion

Senator Dardenne moved to adopt Schedule 01 and lay that motion on the table.

Without objection, Schedule 01 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 04 and lay that motion on the table.

Without objection, Schedule 04 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 05 and lay that motion on the table.

Without objection, Schedule 05 was adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 59, between lines 11 and 12, insert the following:

"Provided, however, that of the funds appropriated herein, \$100,000 shall be used for the operations of the Civil Rights Museum."

Senator Dardenne moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Adley	Gautreaux	Malone
Bajoie	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Cravins	Johnson	Smith
Dardenne	Jones, B	Tarver
Dupre	Jones, CD	Theunissen
Ellington	Lambert	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Fontenot
Total—2

Thomas

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Gautreaux to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 62, between lines 15 and 16, insert the following:

"Provided, however, that of the amounts appropriated herein for the Office of Tourism \$50,000 State General Fund (Direct) shall be allocated for the FLW Fishing Tournament in Morgan City."

Senator Gautreaux moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Bean	Heitmeier	Marionneaux
Cain	Holden	Michot
Dupre	Johnson	Romero
Fields	Jones, CD	
Total—14		

NAYS

Mr. President	Hoyt	Schedler
Barham	Irons	Smith
Cravins	Jones, B	Tarver
Dean	Lambert	Theunissen
Ellington	Lentini	Ullo
Hollis	Mount	
Total—17		

ABSENT

Bajoie	Dardenne	McPherson
Boissiere	Fontenot	Thomas
Chaisson	Hines	
Total—8		

The Chair declared the amendments were rejected.

Motion

Senator Dardenne moved to adopt Schedule 06, as amended, and lay that motion on the table.

Without objection, Schedule 06, as amended, was adopted.

Motion

Senator Dardenne moved to adopt Schedule 07 and lay that motion on the table.

Without objection, Schedule 07 was adopted.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 109, proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 13, line 15, delete "\$500,000" and insert "\$1,000,000"

Senator Romero moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Irons	Mount
Bean	Johnson	Romero
Boissiere	Jones, CD	Theunissen
Fontenot	Malone	Ullo
Hines	McPherson	
Hoyt	Michot	
Total—16		

NAYS

Mr. President	Dupre	Jones, B
Bajoie	Ellington	Lentini
Barham	Fields	Marionneaux
Cain	Gautreaux	Schedler
Chaisson	Heitmeier	Smith
Dardenne	Holden	Tarver
Dean	Hollis	Thomas
Total—21		

ABSENT

Cravins	Lambert
Total—2	

The Chair declared the amendments were rejected.

Motion

Senator Dardenne moved to adopt Schedule 08, as amended, and lay that motion on the table.

Without objection, Schedule 08, as amended, was adopted.

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of passing over Schedule 09 until amendments are completed.

Senator McPherson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Lentini
Bajoie	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Total—36		

NAYS

McPherson	
Total—1	

ABSENT

Adley	Fields
Total—2	

The Chair declared the Senate would pass over Schedule 09 until amendments are prepared.

Senator Lambert in the Chair**Floor Amendments Sent Up**

Senator B. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator B. Jones to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 177 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 20, line 21, delete "\$36,180,200" and insert "\$39,980,200"

AMENDMENT NO. 2

In Senate Committee Amendment No. 285 proposed by the Senate Committee on Finance and adopted by the Senate on June 17, 2003, on page 31, line 29, delete "\$930,200" and insert "\$4,730,200"

AMENDMENT NO. 3

On page 20, line 50, delete "\$1,666,666" and insert "\$800,000"

AMENDMENT NO. 4

On page 120, line 40, delete "\$1,666,666" and insert "\$400,000"

AMENDMENT NO. 5

On page 127, line 14, delete "\$3,166,666" and insert "\$2,300,000"

AMENDMENT NO. 6

On page 127, line 45, delete "\$4,166,666" and insert "\$2,900,000"

AMENDMENT NO. 7

On page 127, line 53, delete "\$6,666,666" and insert "\$5,000,000"

Senator B. Jones moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Holden	McPherson
Cain	Hoyt	Michot
Chaisson	Jones, B	Mount
Dean	Jones, CD	Romero
Gautreaux	Lentini	Theunissen
Hines	Marionneau	Ullio
Total—18		

NAYS

Mr. President	Dupre	Malone
Adley	Ellington	Schedler
Bajoie	Fields	Smith
Barham	Fontenot	Tarver
Boissiere	Heitmeier	Thomas
Cravins	Hollis	
Dardenne	Irons	
Total—19		

ABSENT

Johnson	Lambert
Total—2	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 127, between lines 14 and 15, insert the following:

"Provided, however, the funds allocated herein for domestic violence initiatives shall be distributed equitably statewide, including but not limited to major metropolitan areas such as New Orleans, Baton Rouge and Lafayette. Nothing shall preclude rural areas from receiving such funds in this allocation."

On motion of Senator Irons, the amendments were adopted.

Motion

Senator Dardenne moved to adopt Schedule 10, as amended, and lay that motion on the table.

Without objection, Schedule 10, as amended, was adopted.

Motion

Senator Dardenne moved to adopt Schedule 11 and lay that motion on the table.

Without objection, Schedule 11 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 12 and lay that motion on the table.

Without objection, Schedule 12 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 13 and lay that motion on the table.

Without objection, Schedule 13 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 14 and lay that motion on the table.

Without objection, Schedule 14 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 16 and lay that motion on the table.

Without objection, Schedule 16 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 17 and lay that motion on the table.

Without objection, Schedule 17 was adopted.

Motion

Senator Dardenne moved to adopt Schedule 18 and lay that motion on the table.

Without objection, Schedule 18 was adopted.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 223, line 11, delete "\$395,887,094" and insert "\$461,062,046"

AMENDMENT NO. 2

On page 227, line 18, delete "\$962,529,216" and insert "\$1,027,704,168"

AMENDMENT NO. 3

On page 227, line 25, delete "\$761,033,474" and insert "\$826,208,426"

AMENDMENT NO. 4

On page 227, line 26, delete "\$962,529,216" and insert "\$1,027,704,168"

On motion of Senator Theunissen, the amendments were adopted.

Floor Amendments Sent Up

Senator Holden sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Holden and Fontenot to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 228, between lines 19 and 20, insert the following:

"Provided, however, that the state of Louisiana, acting through the Department of Education, is hereby authorized to revert back to the City of Baker School Board certain payments due in Fiscal Year 2003-2004 from the City of Baker School Board to the state of Louisiana for the purpose of repaying funds appropriated to the Department of Education and loaned to the City of Baker School Board pursuant to Section 15 of Act No. 10 of the 1999 Regular Session of the Legislature.

Further provided, that the City of Baker School Board shall use the funds formerly payable to the state exclusively for: (1) instructional activities dealing directly with the interaction between teachers and students to include such items as salaries, employee benefits, purchased professional and technical services, instructional materials and supplies, and instructional equipment; (2) pupil support activities designed to assess and improve the well-being of students and to supplement the teaching process; and (3) instructional staff activities associated with assisting the instructional staff with the content and process of providing learning experiences for students."

On motion of Senator Holden, the amendments were adopted.

Mr. President in the Chair

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 232, delete lines 51 through 58, and insert the following:

"In the event the student population at Special School District No. 2 Instruction is reduced due to a transition to other programs or secure facilities in Special School District No. 1 Instruction and juvenile student population increases or a Youthful Offender Program/Facility is established by the Department of Public Safety and Corrections for the provision of special education and related services to eligible Special Education students in the Special School District No. 1 facilities, any reduction in the operating expenses of Special School District No. 2 resulting from those actions shall be transferred to Special School District No. 1.

In the event the student juvenile offender population at Special District No. 1 Instruction or Special School District No. 2 Instruction is reduced due to a transition to other secure and non-secure facilities, any reduction in the operating expenses of Special School District No. 1 or Special School District No. 2 resulting from those actions shall be transferred to the Department of Public Safety and Corrections, Office of Youth Development, subject to the review and approval of the Joint Legislative Committee on the Budget, and shall only be used for the purpose of enhancing the community-based system of care for juvenile offenders."

AMENDMENT NO. 2

On page 233, delete lines 1 through 5, and insert the following:

"No later than the seventh of each month, Special School Districts shall submit to the Joint Legislative Committee on the Budget a monthly enrollment and expense report indicating the total number of students at both Special School District No. 1 Instruction and Special School District No. 2 Instruction, the number of students enrolled in special education programs, and the monthly budgeted and actual expenditures for the previous month."

On motion of Senator Theunissen, the amendments were adopted.

Motion

Senator Dardenne moved to adopt Schedule 19, as amended, and lay that motion on the table.

Without objection, Schedule 19, as amended was adopted.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 248, line 19, delete "(5%)" and insert "(4.5%)"

On motion of Senator Romero, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 249, line 49, delete the figure "49,300,000" and insert in lieu thereof the figure "40,600,000"

AMENDMENT NO. 2

On page 250, line 5, delete the figure "49,300,000" and insert in lieu thereof the figure "40,600,000"

AMENDMENT NO. 3

On page 250, line 6, delete the figure "49,300,000" and insert in lieu thereof the figure "40,600,000"

EXPLANATION: Reduces video draw poker allocation to local government to agree with revenues available from video draw poker.

On motion of Senator Dardenne, the amendments were adopted.

Motion

Senator Dardenne moved to adopt Schedule 20, as amended, and lay that motion on the table.

Without objection, Schedule 20, as amended, was adopted.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 103, delete lines 4 through 6 in their entirety

Senator Hines moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones, CD	Theunissen
Dupre	Lambert	Thomas
Ellington	Lentini	Ullo
Fields	Malone	
Total—35		

NAYS

Dean
Total—1

ABSENT

Mr. President
Total—3

Fontenot

Jones, B

The Chair declared the amendments were adopted.

Senator Lambert in the Chair**Floor Amendments Sent Up**

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hainkel and Hines to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 104, between lines 13 and 14, insert the following:

"Provided, however, it is the intent of the legislature to provide waiver services whenever possible rather than state plan option services. Provided, further, that the Department of Health and Hospitals shall seek approval from the federal court in the case of "Barthelemy v. Hood" to shift the amounts allocated in the Payments to Private Providers Program for personal care attendant services from state plan option services to waiver services. Should the court fail to approve the plan for a full waiver program, then the Joint Legislative Committee on the Budget, in conjunction with the Department of Health and Hospitals, shall develop and adopt a plan in accordance with the court's orders."

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator C. Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Jones to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 104, between lines 13 and 14, insert the following:

"These waiver services shall be distributed by the department so as to assure as near as practicable equal distribution of the services among the Louisiana congressional districts. The department is hereby directed to seek approval of this plan from the federal court in the case of "Barthelemy v. Hood" and seek approval of the Centers for Medicare and Medicaid Services to ensure federal compliance."

Senator C. Jones moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dupre	Johnson
Bean	Fields	Jones, B
Boissiere	Gautreaux	Jones, CD
Chaisson	Hines	Marionneaux
Cravins	Holden	
Total—14		

NAYS

Adley	Hollis	Schedler
Barham	Hoyt	Smith

Cain
Dardenne
Dean
Ellington
Fontenot
Heitmeier
Total—22

Lambert
Lentini
Malone
Michot
Mount
Romero

Tarver
Theunissen
Thomas
Ullo

ABSENT

Mr. President
Total—3

Irons

McPherson

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 104, between lines 13 and 14, insert the following:

"Provided, however, that of the total surplus remaining in excess of all means of financing as appropriated herein, and after ongoing program operational needs are met, such funds in Medical Vendor Payments recognized for Fiscal Year 2002-2003 to be carried forward and expended in Fiscal Year 2004 as authorized in this Schedule, \$1,500,000 shall be allocated for Long Term Acute Hospitals, subject to subsequent rulemaking and contingent upon approval of the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services."

On motion of Senator Schedler, the amendments were adopted.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 104, between lines 13 and 14, insert the following:

"Provided, however, any amount of additional means of financing made available by reductions in Medicaid Medical Vendor payments to non-state governmental hospitals under the Upper Payment Limit procedure shall be utilized, after ongoing operational needs are met, to match federal funds to fully fund all payments to Rural Hospitals."

On motion of Senator Ellington, the amendments were adopted.

Motion

Senator Dardenne moved to adopt Schedule 09, as amended, and lay that motion on the table.

Without objection, Schedule 09, as amended, was adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Total—39

Fields
Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert

Lentini
Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments, subject to call were taken up and acted upon as follows:

Called from the Calendar

Senator Schedler asked that Senate Bill No. 314 be called from the Calendar at this time.

SENATE BILL NO. 314—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 39:198(D)(3), relative to contracts for fiscal intermediary services in processing claims of health care providers; to provide for modification of the initial term of fiscal intermediary contracts; to provide for the option to extend a fiscal intermediary contract for successive twelve-month terms; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 314 by Senator Schedler

AMENDMENT NO. 1

On page, line 2, after "39:198(D)(3)" and before the comma ",", insert and 1514(A)(1)(b)"

AMENDMENT NO. 2

On page 1, line 9, after "39:198(D)(3)" delete "is" and insert "and 1514(A)(1)(b) are"

AMENDMENT NO. 3

On page 2, after line 15, insert the following:

§1514. Multiyear contracts

A.(1) Unless otherwise provided in the statutes making appropriations therefor, a contract for professional, personal, consulting, or social services may be entered into for periods of not more than three years, except that:

* * *

(b) ~~Contracts or amendments to existing contracts as provided for in R.S. 39:198(D) may be entered into for periods of up to ten years.~~ Contracts for electronic benefits issuance system services as required under R.S. 46:450.1 may be entered into for periods of up to six years.

* * *

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Bajoie	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Total—38		

NAYS

Total—0

ABSENT

Cain
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 315 be called from the Calendar at this time.

SENATE BILL NO. 315— BY SENATOR SCHEDLER

AN ACT

To enact Part III of Chapter 15 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1331 through 1344, relative to the practice of perfusion; to provide for the licensure of qualified medical technicians to practice perfusion; to provide definitions; to create the Advisory Committee on Perfusion and

provide for its membership and duties; to provide for fees; to provide for penalties; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 315 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 5, change "Section" to "Part"

AMENDMENT NO. 2

On page 2, line 25, change "A." to "(1)"

AMENDMENT NO. 3

On page 3, line 1, change "B." to "(2)"

AMENDMENT NO. 4

On page 3, line 4, change "C." to "(3)"

AMENDMENT NO. 5

On page 3, line 9, change "(1)" to "(a)"

AMENDMENT NO. 6

On page 3, line 13, change "(2)" to "(b)"

AMENDMENT NO. 7

On page 3, line 16, change "(3)" to "(c)"

AMENDMENT NO. 8

On page 3, line 18, change "(4)" to "(d)" and after "described" delete "in items"

AMENDMENT NO. 9

On page 3, line 19, change "Subsection" to "Subparagraph"

AMENDMENT NO. 10

On page 3, delete lines 20 through 23 in their entirety, and insert the following:

"(i) The administration of pharmacological agents, therapeutic agents, blood products or anesthetic agents through the extracorporeal circuit as ordered by a physician;"

AMENDMENT NO. 11

On page 3, line 21, change "(i)" to "(aa)"

AMENDMENT NO. 12

On page 3, line 22, change "(ii)" to "(bb)"

AMENDMENT NO. 13

On page 3, line 24, change "(b)" to "(ii)"

AMENDMENT NO. 14

On page 3, line 25, change "(i)" to "(aa)"

AMENDMENT NO. 15

On page 3, line 26, change "(ii)" to "(bb)"

AMENDMENT NO. 16

On page 4, line 1, change "(iii)" to "(cc)"

AMENDMENT NO. 17

On page 4, line 2, change "(iv)" to "(dd)"

AMENDMENT NO. 18

On page 4, line 3, change "(v)" to "(ee)"

AMENDMENT NO. 19

On page 4, line 4, change "(vi)" to "(ff)"

AMENDMENT NO. 20

On page 4, line 5, change "(vii)" to "(gg)"

AMENDMENT NO. 21

On page 4, line 6, change "(viii)" to "(hh)"

AMENDMENT NO. 22

On page 4, line 7, change "(c)" to "(iii)"

AMENDMENT NO. 23

On page 4, line 12, change "D." to "(4)"

AMENDMENT NO. 24

On page 4, line 21, change "E." to "(5)"

AMENDMENT NO. 25

On page 4, line 25, change "F." to "(6)"

AMENDMENT NO. 26

On page 4, line 26, change "Chapter" to "Part"

AMENDMENT NO. 27

On page 5, line 3, change "Chapter" to "Part"

AMENDMENT NO. 28

On page 5, line 5, change "Chapter" to "Part"

AMENDMENT NO. 29

On page 5, line 24, after "state" delete "or,"

AMENDMENT NO. 30

On page 6, line 7, after "law" delete the comma "," and after "person" delete "who"

AMENDMENT NO. 31

On page 6, line 13, delete "the effective date of this Act" and insert "July 1, 2003"

AMENDMENT NO. 32

On page 6, line 21, change "Chapter" to "Part"

AMENDMENT NO. 33

On page 8, line 12, change "Chapter" to "Part"

AMENDMENT NO. 34

On page 8, line 20, change "Chapter" to "Part"

AMENDMENT NO. 35

On page 9, line 9, change "Act" to "Part"

AMENDMENT NO. 36

On page delete 9, delete lines 13 through 21, and insert the following
"C. (1) The terms of office of the initial members appointed to the board shall be three for a two-year term, two for a three-year term, and two for a four-year term. Thereafter, all members shall be appointed for four-year terms.

(2) All members shall serve until their successors are appointed or confirmed.

(3) No member shall be reappointed for a term that would cause his continuous service on the committee to be longer than eight consecutive years."

AMENDMENT NO. 37

On page 10, line 22, change "Chapter" to "Part"

AMENDMENT NO. 38

On page 11, at the beginning of line 1, change "Chapter" to "Part"

AMENDMENT NO. 39

On page 11, line 5, change "Article" to "Part"

AMENDMENT NO. 40

On page 12, line 8, change "Article" to "Part"

AMENDMENT NO. 41

On page 12, line 16, change "Chapter" to "Part"

AMENDMENT NO. 42

On page 13, between lines 17 and 18, insert the following:

"(4) Qualified health care providers who are not licensed perfusionists or provisional licensed perfusionists from performing autotransfusion under the direct or indirect supervision of a licensed perfusionist."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 315 by Senator Schedler

AMENDMENT NO. 1

Delete House Committee Amendment No. 11 proposed by the House Committee on Health and Welfare

AMENDMENT NO. 2

Delete House Committee Amendment No. 12 proposed by the House Committee on Health and Welfare

AMENDMENT NO. 3

In House Committee Amendment No. 36 proposed by the House Committee on Health and Welfare, on line 26, after "page" and before "9" delete "delete"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Durand to Reengrossed Senate Bill No. 315 by Senator Schedler

AMENDMENT NO. 1

On page 12, line 22, after "state" and before "under" insert "as a registered nurse performing perfusion services or a person licensed"

AMENDMENT NO. 2

On page 12, at the beginning of line 23, after "law" delete "from"

AMENDMENT NO. 3

On page 12, at the beginning of line 25, after "program" delete "from"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative M. Jackson to Reengrossed Senate Bill No. 315 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 7, after "duties;" delete "to provide for fees;"

AMENDMENT NO. 2

On page 5, line 10, after "prescribes" delete the remainder of the line

AMENDMENT NO. 3

On page 5, line 11, at the beginning of the line delete "provided for in R.S. 37:1339,"

AMENDMENT NO. 4

On page 5, line 20, after "perfusionist" delete the remainder of the line and on line 21 delete "the required fee,"

AMENDMENT NO. 5

On page 6, line 22, after "application" delete the remainder of the line and on line 23 delete "established by the board."

AMENDMENT NO. 6

On page 7, line 4, after "form" delete the remainder of the line and on line 5, delete "established by the board."

AMENDMENT NO. 7

On page 8, line 12, after "Chapter" insert ", including procedures for the issuance and renewal of licenses."

AMENDMENT NO. 8

On page 10, line 11, after "direction." delete the remainder of the line and delete line 12

AMENDMENT NO. 9

On page 11, delete lines 14 through 24, in their entirety.

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Malone
Adley	Heitmeier	Marionneaux
Barham	Hines	McPherson
Bean	Holden	Michot
Boissiere	Hollis	Mount
Cain	Hoyt	Romero
Chaisson	Irons	Schedler
Dardenne	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Thomas
Fontenot	Lentini	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Bajoie
Total—2

Cravins

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 382 be called from the Calendar at this time.

SENATE BILL NO. 382—

BY SENATORS SCHEDLER AND BAJOIE
AN ACT

To enact Chapter 8-A of Title 46 of Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:978 and 979, relative to health care for the low-income uninsured; to provide for expanding coverage to certain low-income uninsured through Medicaid program waivers; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 382 by Senators Schedler and Bajoie

AMENDMENT NO. 1

On page 2, at the beginning of line 9, insert "A."

AMENDMENT NO. 2

On page 2, line 12, after "initiative" and after the period "." delete the remainder of the line and delete lines 13 through 15 in their entirety and insert the following:

"B. Upon completion of the waiver application, the department shall submit the waiver plan, including cost estimates for a minimum of three years to the Joint Legislative Committee on the Budget for its review and approval. If the plan is approved by the committee, the department shall submit the waiver application to the Center for Medicare and Medicaid Services for approval.

C. Upon approval of the waiver application by the Center for Medicare and Medicaid Services, the department may implement the waiver only to the extent that appropriations to the department specifically include funds for this purpose.

D. The department shall adopt and promulgate rules and regulations in accordance with the Administrative Procedure Act that provide for maximizing Medicaid funding and rates for those hospitals that provide either of the following:

(1). Inpatient services to fragile newborns or critically ill children in either a Level III Regional Neonatal Intensive Care Unit or a Level I Pediatric Intensive Care Unit, which units have been in operation on or before January 1, 2003.

(2). A Medicaid utilization rate of twenty-five percent of total inpatient days or greater."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed Senate Bill No. 382 by Senator Schedler

AMENDMENT NO. 1

In House Committee Amendment No. 2, proposed by the House Committee on Appropriations and adopted by the House on June 12, at the beginning of line 7, after "B" and before the period "." insert "(1)"

AMENDMENT NO. 2

In House Committee Amendment No. 2, proposed by the House Committee on Appropriations and adopted by the House on June 12, at the beginning of line 13, change "C." to "(2)."

AMENDMENT NO. 3

In House Committee Amendment No. 2, proposed by the House Committee on Appropriations and adopted by the House on June 12, at the beginning of line 17, change "D." to "C."

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux	Marionneaux
Adley	Heitmeier	McPherson
Barham	Hines	Michot
Bean	Holden	Mount
Boissiere	Hollis	Romero
Cain	Hoyt	Schedler
Chaisson	Irons	Smith
Dardenne	Johnson	Tarver

Dean	Jones, B	Theunissen
Dupre	Jones, CD	Thomas
Ellington	Lambert	Ullo
Fields	Lentini	
Fontenot	Malone	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Cravins
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 705 be called from the Calendar at this time.

SENATE BILL NO. 705— BY SENATOR SCHEDLER

AN ACT

To enact Code of Civil Procedure Art. 1422.1, relative to discovery; to provide that certain records maintained by the Louisiana Bureau of Criminal Identification and Information are privileged and not subject to discovery in civil proceedings; to provide for the definition of "records"; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 705 by Senator Schedler

AMENDMENT NO. 1

On page 1, at the beginning of line 13, before "records" delete "The" and insert "In civil proceedings, the"

AMENDMENT NO. 2

On page 1, line 15, delete "in civil proceedings"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baldone to Engrossed Senate Bill No. 705 by Senator Schedler

AMENDMENT NO. 1

On page 1, at the beginning of line 13, insert "A."

AMENDMENT NO. 2

On page 2, after line 3, add the following:

"B. (1) Notwithstanding the provisions of Paragraph A of this Article, records of criminal convictions of individuals are public record and shall be made accessible to any person through the Bureau of Criminal Identification and Information, either directly from the Bureau or from any law enforcement agency that has access to the electronic database. A person requesting such records must provide the name, date of birth, and any other identifying information required by the Bureau or law enforcement agency regarding the subject of the record. The Bureau or any law enforcement agency shall provide only those records that are electronically maintained, and shall not be required to provide any information which has not been entered into an electronic database maintained by the Bureau.

(2) For purposes of this Section, "conviction" shall include a finding of guilty, a guilty plea, a plea of nolo contendere, a conviction which has been set aside and dismissed pursuant to the Code of Criminal Procedure Article 893 or 894, or an offense for which a person has received a first offender pardon. It shall not include any records which have been expunged pursuant to R.S. 44:9.

(3) A fee of twenty-six dollars shall be assessed for each inquiry, whether a conviction record is maintained or not, to defray the expenses of maintaining the records and responding to inquiries. Any agency other than the Bureau that responds to a request may retain sixteen dollars of the fee and shall transmit the ten dollars of the fee to the Bureau.

(4) Liability shall not be imposed on any law enforcement agency based upon the maintaining or furnishing of records when such records are furnished pursuant to the provisions of this Subsection."

Senator Schedler moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero
Dardenne	Irons	Schedler
Dean	Johnson	Smith
Dupre	Jones, B	Tarver
Ellington	Jones, CD	Theunissen
Fields	Lambert	Thomas
Fontenot	Lentini	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bajoie	Cravins
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Schedler moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 821 be called from the Calendar at this time.

SENATE BILL NO. 821—

BY SENATORS SCHEDLER AND THOMAS
AN ACT

To amend and reenact R.S. 33:130.401(A), 130.402(A)(1) and (F), 130.403(10), 130.404(A)(1), (B)(1),(2) and (3) and 130.406(B)(2), to enact R.S. 33:130.403 (11), (12), (13), (14), (15), (16), (17), (18), (19), (20), (21), (23), and 130.404 (C), (D), and (E), and to rename Subpart B-17 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, all relative to the St. Tammany Parish Economic and Industrial Development District; to provide for the name of the district, its powers, and purpose; to clarify its membership requirements; and to provide for related matters.

June 19, 2003

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 821 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 5, following "(21)," and before "(23)," insert "(22),"

AMENDMENT NO. 2

On page 2, line 1, following "(21)," and before "(23)," insert "(22),"

AMENDMENT NO. 3

On page 12, line 7, following "contracts" change "of" to "or"

AMENDMENT NO. 4

On page 14, line 7, following "mortgage" and before "all" change "or" to "on"

AMENDMENT NO. 5

On page 14, line 11, following "be" and before "contained" change "herein" to "therein"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Winston to Reengrossed Senate Bill No. 821 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 9, after "and purpose;" delete the remainder of the line and insert the following: "to provide relative to the membership of the board of commissioners; and to"

AMENDMENT NO. 2

On page 2, line 24, change "thirteen" to "fifteen"

AMENDMENT NO. 3

On page 3, line 15, after "(e)" change "One member" to "Two members"

AMENDMENT NO. 4

On page 3, delete line 16 and insert in lieu thereof "Tammany Parish and each shall serve a one-year term."

AMENDMENT NO. 5

On page 3, line 17, after "(f)" change "Five" to "Six"

AMENDMENT NO. 6

On page 3, line 22, after "(i)" change "One member" to "Two members"

AMENDMENT NO. 7

On page 4, line 12, change "Seven" to "Eight"

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Gautreaux	Malone
Barham	Heitmeier	Marionneaux
Bean	Hines	McPherson
Boissiere	Holden	Michot
Cain	Hollis	Mount
Chaisson	Hoyt	Romero

Dardenne
Dean
Dupre
Ellington
Fields
Fontenot
Total—36

Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Mr. President
Total—3

Bajoie

Cravins

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 866 be called from the Calendar at this time.

**SENATE BILL NO. 866—
BY SENATOR SCHEDLER****AN ACT**

To amend and reenact R.S. 37:3003(B)(1), relative to the State Board of Medical Examiners and occupational therapists; to provide for direct access to the services of occupational therapists; to eliminate the necessity for a referral to occupational therapy services; to increase the categories of medical professionals who can refer to occupational therapists; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 866 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 10 after "referral" insert "however in workers' compensation injuries preauthorization shall be required by the employer or workers' compensation insurer or provider"

AMENDMENT NO. 2

On page 2, delete line 13 in its entirety and insert in lieu thereof "registered nurse, dentist, podiatrist, or optometrist"

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Malone
Adley	Gautreaux	Marionneaux
Barham	Heitmeier	McPherson
Bean	Hines	Michot
Boissiere	Holden	Mount
Cain	Hollis	Romero
Chaisson	Hoyt	Schedler
Cravins	Irons	Smith
Dardenne	Johnson	Tarver

Dean
Dupre
Ellington
Fields
Total—38

Jones, B
Jones, CD
Lambert
Lentini

Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bajoie
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 949 be called from the Calendar at this time.

SENATE BILL NO. 949— BY SENATOR SCHEDLER

AN ACT

To amend and reenact Civil Code Arts. 573 and 1514, to enact R.S. 9:1202, and to repeal Code of Civil Procedure Art. 3154.1, relative to security for a surviving spouse; to provide for forms of security for legal usufruct of a surviving spouse; to provide for dispensation of security of a surviving spouse; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 949 by Senator Schedler

AMENDMENT NO. 1

On page 2, between lines 23 and 24 insert the following:
"Section 4. The provisions of this Act are interpretive, procedural and remedial."

AMENDMENT NO. 2

On page 2, line 24, after "Section" change "4." to "5."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Ansardi to Reengrossed Senate Bill No. 949 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, change "Arts. 573 and 1514," to "Art. 1514 and"

AMENDMENT NO. 2

On page 1, line 3, delete "and to repeal Code of Civil Procedure Art. 3154.1,"

AMENDMENT NO. 3

On page 1, line 5, after the semicolon ";," delete the remainder of the line

AMENDMENT NO. 4

On page 1, at the beginning of line 6, delete "of a surviving spouse;"

AMENDMENT NO. 5

On page 2, line 1, change "Art. 573 and 1514 are" to "Art. 1514 is"

AMENDMENT NO. 6

On page 2, delete lines 3 through 13 in their entirety

AMENDMENT NO. 7

On page 2, delete line 23 in its entirety

AMENDMENT NO. 8

In House Committee Amendment No. 1 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on June 11, 2003, on line 3, change "Section 4." to "Section 3."

AMENDMENT NO. 9

Delete House Committee Amendment No. 2 proposed by the House Committee on Civil Law and Procedure and adopted by the House of Representatives on June 11, 2003.

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 949 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "573" insert a comma "," and insert "1493(A),"

AMENDMENT NO. 2

On page 1, line 5, after "spouse;" insert "to provide relative to forced heirship;"

AMENDMENT NO. 3

On page 2, line 1, after "573" insert a comma "," and insert "1493(A),"

AMENDMENT NO. 4

On page 2, between lines 13 and 14, insert the following:

"Art. 1493. Forced heirs; representation of forced heirs

A. Forced heirs are descendants of the first degree who, at the time of the death of the decedent, are twenty-three years of age or younger or descendants of the first degree of any age who **have an inherited, incurable disease or who**, because of mental incapacity or physical infirmity, are permanently incapable of taking care of their persons or administering their estates at the time of the death of the decedent.

* * *

Senator Schedler moved to reject in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dean
Dupre
Ellington
Fields
Total—38

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bajoie
Total—1

The Chair declared the amendments proposed by the House were rejected. Senator Schedler moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 1111 be called from the Calendar at this time.

SENATE BILL NO. 1111—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to public contracts; to provide that a preference be given to products printed in Louisiana; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hopkins to Engrossed Senate Bill No. 1111 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "enact R.S. 38:2251(L) and R.S. 39:1595(K)," and insert "To repeal R.S. 38:2251 and R.S. 39:1595, 1595.3, 1595.4, and 1595.5,"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert "repeal certain preferences; and"

AMENDMENT NO. 3

On page 1, line 6, after "Section 1." delete the remainder of the line and delete lines 7 through 15 in their entirety and delete page 2, and insert the following:

"R.S. 38:2251 and R.S. 39:1595, 1595.3, 1595.4, and 1595.5 are hereby repealed in their entirety."

Senator Schedler moved to reject in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Adley
Bajoie
Barham
Bean
Boissiere
Cain
Chaisson
Cravins
Dardenne
Dupre
Ellington
Fields
Total—38

Fontenot
Gautreaux
Heitmeier
Hines
Holden
Hollis
Hoyt
Irons
Johnson
Jones, B
Jones, CD
Lambert
Lentini

Malone
Marionneaux
McPherson
Michot
Mount
Romero
Schedler
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Dean

Total—1

ABSENT

Total—0

The Chair declared the amendments proposed by the House were rejected. Senator Schedler moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**House Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following House Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Barham asked that House Bill No. 1137 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1137—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 56:103(B) and (C)(1) and 104(A)(3) and (4) and to repeal R.S. 56:140, to authorize the taking of bobcats and foxes under a big game hunting license; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 1137 by Representative Townsend

AMENDMENT NO. 1

On page 1, line 3, after "bobcats" delete "and foxes"

AMENDMENT NO. 2

On page 1, line 11, after "bobcat," delete "fox."

AMENDMENT NO. 3

On page 1, at the end of line 14, change the comma "," to "or" and on line 15, after "bobcat" delete "or fox"

AMENDMENT NO. 4

On page 2, line 11, after "turkey" change the comma "," to "or" and after "bobcat" delete "or fox"

AMENDMENT NO. 5

On page 2, line 22, after "turkey" change the comma "," to "or" and after "bobcat" delete the comma "," and on line 23, delete "or fox"

On motion of Senator Barham, the amendments were adopted.

The bill was read by title. Senator Barham moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Michot
Adley	Fontenot	Mount
Barham	Hines	Romero
Bean	Hollis	Smith
Boissiere	Hoyt	Tarver
Cain	Irons	Theunissen
Cravins	Jones, B	Thomas
Dardenne	Lambert	Ullo
Dean	Marionneaux	
Dupre	McPherson	
Total—28		

NAYS

Bajoie	Gautreaux	Johnson
Chaisson	Heitmeier	Lentini
Fields	Holden	Malone
Total—9		

ABSENT

Jones, CD	Schedler
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Barham moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Irons asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on House Bill No. 1137. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

Rules Suspended

Senator Adley asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

DISAGREEMENT TO HOUSE BILL

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1 by Representative LeBlanc, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 1064—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 13:2488.62(E), relative to the City Court of Plaquemine; to authorize the court to assess a fee to be used for substance abuse treatment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1119—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact Sections 2 and 3 and to enact Section 1(C), Section 1.1, Section 2.1, and Section 9 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, and Act No. 440 of the 1997 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service Districts No. 1 and 2; to abolish the current board of commissioners for St. Tammany Parish Hospital Service District No. 2 and to provide for the appointment of a new board; to provide for a nominating committee to nominate candidates to the appointing authorities; to provide for the qualifications for members of the board of commissioners of the St. Tammany Parish Hospital Service District No. 2; to provide for terms of office for the nominating committee and the board of commissioners; to provide for authority to levy a sales and use tax; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1080—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 30:2418(G) and (H)(3) and (7), relative to waste tires; to provide for the disbursement of funds from the waste tire fund; to prohibit incentives for tires processed outside of Louisiana; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1132 (Substitute for Senate Bill No. 1108)—

BY SENATORS HINES, FIELDS, BAJOE, HOLDEN, B. JONES, MOUNT, SCHEDLER, CAIN, HOLLIS, JOHNSON, THOMAS, ULLO, BOISSIERE, CHAISSON, CRAVINS, DEAN, DUPRE, ELLINGTON, GAUTREAUX, IRONS, LAMBERT, LENTINI, MARIONNEAUX, MCPHERSON, SMITH AND THEUNISSEN

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.196, relative to the Louisiana Senior Rx Program; to provide definitions; to create the Louisiana Senior Rx Program; to provide for eligibility; to provide for the responsibilities of the office of elderly affairs within the governor's office; to provide for annual reporting; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 900—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 33:2218.4(B), relative to extra compensation paid by the state to police and deputy sheriffs; to grant authority to certain local officials to sign warrants to disburse such funds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 931—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact Children's Code Art. 1263, relative to the action to annul a final decree of adoption; to provide for the peremptive period in all cases; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 792—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 30:2030(B) and enact R.S. 30:2030(A)(1)(c) and (d), relative to the Department of Environmental Quality; to authorize the classification of security sensitive information and personal identification information as confidential; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 942—
BY SENATOR THOMAS

AN ACT

To authorize the secretary for the Department of Health and Hospitals and the commissioner of administration, for and on behalf of the state, to enter into an agreement with respect to the exchange of certain properties in Washington Parish; to authorize and provide for the transfer or lease of certain state property in a parish with a population between eighteen thousand five hundred and nineteen thousand according to the latest federal decennial census from the Department of Health and Hospitals to a fire protection district within such parish, through the governing authority of the district; to authorize the Secretary of the Department of Social Services and the commissioner of administration to enter into a cooperative agreement with the parish governing authority of Tangipahoa Parish for the purpose of utilization of certain real property for the operation of a 911 system; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 908—
BY SENATOR HAINKEL

AN ACT

To enact Chapter 9 of Title 29 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 29:760 through 772, relative to emergency health powers; to provide for a plan dealing with a health emergency; to provide who can declare such an emergency, for what length of time and who can end such an emergency; to provide for isolation and quarantine of infected citizens; to provide for an organizational and operational structure that is compatible with the Louisiana Emergency Assistance and Disaster Act of 1993; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 673—
BY SENATOR ULLO

AN ACT

To amend and reenact Section 3 of Act No. 666 of the 1997 Regular Session, as amended by the second Section 2 of Act No. 599 of the 1999 Regular Session, and as amended by Section 2 of Act No. 705 of the 2001 Regular Session, and to amend and reenact R.S. 56:700.2(A)(4), all relative to the Underwater Obstruction Removal Fund; to provide for annual deposits into the fund for an additional three years; to provide for a termination date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 213—
BY SENATOR DARDENNE

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.11 of the Constitution of Louisiana, relative to state funds; to create the Louisiana Coastal Restoration Fund in the state treasury; to provide for deposit of monies into the fund; to provide for investment and uses of monies in the fund; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported without amendments.

SENATE BILL NO. 86—
BY SENATOR HINES

AN ACT

To enact Part LVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.191 through 1300.201, relative to the Louisiana Seniors Pharmacy Assistance Program; to provide definitions; to create the Louisiana Seniors Pharmacy Assistance Program; to provide for eligibility, services, denial, modification, and suspension or termination of services and an appeal procedure and judicial review; to provide for reimbursement and recovery of costs for services provided; to provide for the powers, duties, and responsibilities of the Department of Health and Hospitals including funding; to provide for annual reporting; to provide for promulgation of rules and regulations; to provide for implementation; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1094—
BY SENATOR THOMAS

AN ACT

To enact R.S. 42:1119(B)(2)(a)(iii), relative to ethics; to permit an electrician who is the immediate family member of a school board member to be employed in the parish of that member; to provide that the exception shall only apply in parishes with a certain student enrollment population; to provide that the immediate family member of the school board member shall be an experienced electrician; to provide that a school board member shall recuse himself from voting on matters which involve promotion or assignments of such immediate family member; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 963—

BY SENATORS CRAVINS, MICHOT, IRONS AND HOLDEN AND REPRESENTATIVES K. CARTER, GLOVER, GUILLORY, M. JACKSON AND MORRELL

AN ACT

To enact R.S. 15:902.2, relative to juvenile institutions; to provide for the closure of Swanson Correctional Center for Youth-Madison Parish Unit; to require the Department of Public Safety and Corrections to develop a plan for closure of the facility and placement of the youth confined at the facility; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 476—

BY SENATOR BAJOE

AN ACT

To enact R.S. 14:67.22, relative to theft; to create the crime of theft of a used building component; to provide for criminal penalties; to provide for definitions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1101—

BY SENATOR HOLDEN AND REPRESENTATIVE WESTON-BROOME

AN ACT

To enact Part IV of Chapter 10 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1091 through 1093, relative to hospital service districts; to create a parish hospital service district in certain parishes and provide for the powers, duties, functions, and responsibilities of the district; to provide for a governing board of commissioners of each district and for membership of the board; to authorize the issuance of bonds; to require voter approval prior to the imposition of any tax or issuance of any bonded indebtedness; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 257—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), and to enact R.S. 40:1299.41(A)(21), relative to the Medical Malpractice Act; to include extracorporeal therapist in the definition of a "health care provider"; to provide for the definition of "extracorporeal therapist"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 177—

BY SENATOR HEITMEIER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, relative to public funds; to authorize public funds to be loaned or pledged by a state infrastructure bank to fund eligible infrastructure projects; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 437—

BY SENATORS CAIN AND CRAVINS

AN ACT

To amend and reenact R.S. 4:144(A); to provide for the membership of the State Racing Commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 326—

BY SENATOR BAJOE

AN ACT

To enact Chapter 14-E of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1445 through 1448, relative to child care workers; to provide a scholarship to child care workers who obtain child care training from programs approved by the Department of Social Services; to require the Department of Social Services to establish the amount of the scholarship to be paid; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 801—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 15:587(E), relative to criminal history records; to allow certain employers or their representatives to obtain criminal history records of persons applying for employment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1027—

BY SENATOR JOHNSON

AN ACT

To enact R.S. 14:40.4, relative to assault, battery, and related offenses; to prohibit burning a cross on the property of another or in a public place under certain circumstances; to provide penalties; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1090—

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 39:1533(A) and to enact Part IX-A of Chapter 1 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:382.1 and 771(E) and Chapter 16 of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 28:851 through 856, and R.S. 36:254(H) and 258(H), relative to human services; to provide a statewide framework to govern the delivery of mental health, developmental disabilities, and addictive disorders services funded by appropriations from the state; to create the Metropolitan Human Services District; to provide for powers, duties, and functions of the district; to create a governing board and provide for membership, powers, duties, and functions; to provide for the transfer of certain powers, duties, and functions from the Department of Health and Hospitals to the district; to provide for the transfer of employees; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1031—

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 40:2403(H) and to enact R.S. 14:67.16(G) and R.S. 44:3(G), relative to crimes of misappropriation without violence; to provide relative to the crime of identity theft; to provide relative to the investigation of an allegation of such crime; to require such investigation under certain circumstances; to require training of police officers relative to such crime; to require funding prior to the implementation of such training; to provide for an effective date for the implementation of such training; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 400—

BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 37:1367(A), relative to professions and occupations; to provide with respect to plumbers; to provide for a licensed journeyman plumber to supervise three apprentices on a job; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1035—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 11:1732(14)(a), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to the definition of employer; to allow employees of planning and development commissions to join the retirement system; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 839—
BY SENATORS JOHNSON, BARHAM AND ULLO
AN ACT

To enact R.S. 49:153.3, relative to the displaying of flags; to recognize the flag of the former Republic of Vietnam as the official flag to be displayed in the state; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 843—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 45:844.14(A)(1), relative to the Telephone Solicitation Relief Act of 2001; provides relative to listing procedures; repeals the five dollar initial listing and renewal charge; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1010—
BY SENATOR CHAISSON
AN ACT

To repeal R.S. 17:63, relative to restrictions on certain city, parish, or other local school board members; to repeal all prohibitions on members of any city, parish, or other local school board from qualifying or running for another public office without their school board seat being vacated; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 4—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 43:111.1, relative to public media advertising; to prohibit the expenditure of any state funds for media advertisement which mentions any public official whether elected or appointed; to prohibit expenditure of public funds by any public entity for media advertisement which mentions any public official whether elected or appointed; to provide exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 909—
BY SENATOR CAIN
AN ACT

To enact R.S. 45:844.8, relative to wireless telephonic solicitation; to provide for the promulgation of rules and regulations by the Louisiana Public Service Commission; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 421—
BY SENATOR MCPHERSON
AN ACT

To amend and reenact R.S. 37:2157(A)(2), relative to exemptions from licensure by the Louisiana State Licensing Board for Contractors; to clarify that the owners of property are exempt from licensure for certain constructions or improvements to their property; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1008—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 33:2451(A)(13) and (14), relative to the civil service system and personnel administration in Rapides Parish; to exempt certain program director positions from the civil service system; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 882—
BY SENATOR MALONE
AN ACT

To amend and reenact R.S. 18:491, relative to elections; to authorize certain elected officials to bring an action objecting to the candidacy of a person who qualifies in a primary election; to require creditable evidence; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 358—
BY SENATOR MCPHERSON
AN ACT

To enact R.S. 40:2116(G), relative to intermediate care facilities for the mentally retarded; to provide with respect to the facility need review provisions for facilities of a particular number of beds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 986—
BY SENATOR IRONS
AN ACT

To enact R.S. 11:3385.1(L), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to authorize eligible members to elect to participate in the Deferred Retirement Option Plan on a retroactive basis and receive a lump sum benefit of up to five years based upon the value of the pension at the retroactive date selected; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 30—
BY SENATOR CAIN
AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), relative to the compensation of election commissioners; to provide for additional compensation of commissioners; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 307—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 40:1235(A)(2)(b) and 1235.2(A), relative to qualifications to operate ambulances and ambulance providers and licensure; to provide an exception regarding heliports; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1076—
BY SENATOR BOISSIERE**AN ACT**

To enact R.S. 11:263(F), 266.1 and 268, relative to Louisiana state public retirement or pension systems, funds, and plans; to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to invest in small and emerging businesses, venture capital firms, and in-state money management firms; to direct the governing authorities of the state public retirement or pension systems, funds, and plans to prepare a policy wherein the system, fund or plan shall propose how it intends to use in or out-of-state emerging businesses, money managers, and venture capital firms; to require each Louisiana state public retirement or pension system, fund, or plan to direct at least ten percent of all investment trades through a broker-dealer who maintains an office in Louisiana and ten percent through a broker-dealer who has been incorporated and domiciled in Louisiana for at least two years; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 128—
BY SENATOR THEUNISSEN AND REPRESENTATIVE CRANE**AN ACT**

To amend and reenact R.S. 17:433(C) and to enact R.S. 17:433(D) and 433.1, relative to the outstanding state teacher and principal awards; to establish the outstanding state principal awards; to allow the recipients of the state awards to receive certain monetary awards from private sources; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 578—
BY SENATOR FONTENOT AND REPRESENTATIVE ERDEY**AN ACT**

To enact R.S. 39:33.2, relative to the minimum foundation program; to provide relative to returning the formula to the State Board of Elementary and Secondary Education; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 262—
BY SENATOR MOUNT**AN ACT**

To enact R.S. 33:4712.8, relative to economic development for the city of Westlake; to authorize the city of Westlake to transfer certain property no longer needed for public purposes; to provide for the creation of a board to govern the sale of such property; to provide for the purpose, powers, duties and membership of the board; to provide for the authority of the board; to provide for the duties of the governing authority of the city of Westlake with respect to the board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1110—
BY SENATOR BOISSIERE**AN ACT**

To enact Part I-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:25.1 through 25.2, relative to motor vehicle insurance; to authorize creation of a database to determine compliance with the Motor Vehicle Safety Responsibility Law; to provide for procurement of a system to track compliance; to provide for enforcement; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**DISAGREEMENT TO HOUSE BILL**

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1002 by Representative Pinac, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House**HOUSE CONFEREES APPOINTED**

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 388 by Senator Schedler:

Representatives Welch, Durand and Alario.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**Appointment of Conference Committee
on Senate Bill No. 823**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 823: Senators Smith, Ullo and Ellington.

**Appointment of Conference Committee
on Senate Bill No. 802**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 802: Senators Smith, Ellington and Dardenne.

**Appointment of Conference Committee
on Senate Bill No. 133**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 133: Senators Hoyt, Heitmeier and Schedler.

Appointment of Conference Committee on House Bill No. 812

The President of the Senate appointed on the Conference Committee on House Bill No. 812 the following members of the Senate: Senators Smith, Romero and Ellington.

Appointment of Conference Committee on House Bill No. 784

The President of the Senate appointed on the Conference Committee on House Bill No. 784 the following members of the Senate: Senators Michot, Ellington and Malone.

Appointment of Conference Committee on House Bill No. 604

The President of the Senate appointed on the Conference Committee on House Bill No. 604 the following members of the Senate: Senators Lentini, Ellington and McPherson.

Appointment of Conference Committee on House Bill No. 370

The President of the Senate appointed on the Conference Committee on House Bill No. 370 the following members of the Senate: Senators Bajoie, Chaisson and Dardenne.

Appointment of Conference Committee on House Bill No. 795

The President of the Senate appointed on the Conference Committee on House Bill No. 795 the following members of the Senate: Senators Chaisson, Cravins and Malone.

Appointment of Conference Committee on Senate Bill No. 917

The President of the Senate announced the following change in the Conference Committee membership on the disagreement to Senate Bill No. 917: Senator McPherson, vice Senator Hollis.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Ullo, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 19, 2003

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 120—

BY SENATOR LENTINI AND REPRESENTATIVES ANSARDI AND DAMICO

AN ACT

To amend and reenact R.S. 38:2216(L), relative to public contracts; to provide for circumstances in which a contractor must reimburse a design professional for additional costs for

inspections of the contracted project; and to provide for related matters.

SENATE BILL NO. 147—

BY SENATORS SMITH AND MCPHERSON AND REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to forestry products; to provide an exception for treated wood poles and piling from preferences for products produced or manufactured in Louisiana; and to provide for related matters.

SENATE BILL NO. 151—

BY SENATOR CAIN AND REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:5108.1(E)(1)(c) and (3)(b) relative to justices of the peace and constables; to provide that justices of the peace and certain constables be indemnified by the state against certain claims or demands seeking damages; and to provide for related matters.

SENATE BILL NO. 207—

BY SENATORS BOISSIERE AND HAINKEL AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 14:27(D)(1) and to enact R.S. 14:27(E), relative to attempted crimes; to provide relative to attempts of certain crimes; to increase penalties for such attempts when the victim is a peace officer; to define peace officer; and to provide for related matters.

SENATE BILL NO. 235—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 17:1186(B), relative to leaves of absence for teachers; to increase the maximum duration of leave without pay to be granted to certain employees; and to provide for related matters.

SENATE BILL NO. 281—

BY SENATOR BOISSIERE AND REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 11:1307(A)(3), relative to the State Police Pension and Retirement System; to provide with respect to member benefits; to provide with respect to a retirement benefit longevity increase for members who participated in the Deferred Retirement Option Plan on or before June 30, 2003, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remained in such continuous employment on July 1, 2003; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 303—

BY SENATORS MOUNT AND SCHEDLER AND REPRESENTATIVE KATZ

AN ACT

To amend and reenact Title V of the Children's Code, to be comprised of Articles 501 and 502, 507 through 514, 521 through 526, and 531 through 533; and to repeal Children's Code Article 503, relative to services to families; to provide for the use of multidisciplinary investigative teams as a response to the investigation and disposition of cases of child abuse within each judicial district; to provide for definitions; to provide for the membership of each team; to provide for the development and content of interagency protocols for each team for the investigation of allegations of child abuse; to provide for the qualifications of a forensic interviewer of children; to provide for the adoption of a confidentiality policy for a multidisciplinary team; to provide for immunity from civil or criminal liability for a team member; to provide for the establishment of child advocacy centers to encourage agency cooperation and to expedite the resolution of abuse allegations; to establish the responsibilities, confidentiality policy and immunity from civil or criminal liability for the child advocacy

centers; to revise certain statutory provisions regarding the Children's Advocacy Clearinghouse; and to provide for related matters.

SENATE BILL NO. 304—

BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Arts. 3603.1(A), 3604(C), 3607.1(A) and (B), and 3610, Code of Criminal Procedure Arts. 29(B), 30, 327.1, 335.1(A), 871.1 and 895(L)(1), R.S. 9:366 and 372(A), R.S. 13:4243(B) and 4248(A) and (C), R.S. 14:79(A)(1) and (2) and (E), R.S. 46:2135(A)(2), 2136(A)(2), 2136.2(A), (B) and (F), the introductory paragraph of 2140, 2140(1) and (2) and to enact R.S. 9:372.1, R.S. 46:1842(9)(d) and 2151(C), all relative to domestic violence; to provide for payment of costs for a peace bond and security for a temporary restraining order or preliminary injunction by a victim of domestic violence; to provide for filing and transmittal of Uniform Abuse Prevention Orders; to provide for the definition of dating violence; to provide for protective order relief relative to possession of the family home; to provide for the duties of law enforcement officers relative to domestic abuse; to provide for injunctions against harassment; to delete certain notice requirements in protective order proceedings; to provide relative to the violation and enforcement of foreign protective orders; and to provide for related matters.

SENATE BILL NO. 323—

BY SENATORS LENTINI, BOISSIERE, CAIN, DARDENNE, ELLINGTON, HEITMEIER, HOLLIS, SCHEDLER AND ULLÓ AND REPRESENTATIVES SCALISE AND TOOMY

AN ACT

To amend and reenact R.S. 48:279, relative to highways; to provide relative to non-peak hours construction and maintenance work on limited access highways; and to provide for related matters.

SENATE BILL NO. 338—

BY SENATOR CRAVINS AND REPRESENTATIVES BAUDOUIN, HUDSON, LAFLEUR AND PIERRE

AN ACT

To repeal Act No. 35 of the Second Legislature of the Second Session of 1855, Act No. 225 of the Third Legislature of the Second Session of 1857, and Act No. 52 of the Second Session of the Second Legislature of 1867, relative to the town of Grand Coteau; to abolish the legislative charter of the town; to provide that the town shall be subject to the provisions of the Lawrason Act; and to provide for related matters.

SENATE BILL NO. 349—

BY SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 49:308(E)(2)(d) and (e), relative to the deposit of state funds; to exempt the Board of Supervisors of Community and Technical Colleges and its institutions from the requirement of depositing all funds into the state treasury; to make technical changes relative to certain exempt postsecondary entities; and to provide for related matters.

SENATE BILL NO. 359—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 39:1572(B)(4) and to enact R.S. 39:1572(B)(7), relative to central purchasing; to exempt the Louisiana Community and Technical College System from the requirement to conduct procurement through the central purchasing agency; and to provide for related matters.

SENATE BILL NO. 481—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302 (A)(5)(i), relative to the Video Draw Poker Devices Control Law; to provide with respect to the denomination of bills a video draw poker device accepts; and to provide for related matters.

SENATE BILL NO. 502—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 14:43(A)(1), relative to the crime of simple rape; to revise one of a set of circumstances that makes an act of sexual intercourse deemed to be without lawful consent; and to provide for related matters.

SENATE BILL NO. 505—

BY SENATOR DARDENNE AND REPRESENTATIVE LEBLANC

AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(h), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

SENATE BILL NO. 511—

BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 40:961(8) and 967(F)(3), relative to controlled dangerous substances; to provide relative to the penalties for possession of GHB (gamma hydroxybutyric acid) and analogues of GHB to eliminate inaccurate references to Schedule II(D)(2); to provide relative to the definition of a controlled substance analogue; and to provide for related matters.

SENATE BILL NO. 552—

BY SENATOR C. JONES

AN ACT

To amend and reenact Children's Code Art. 903(A), relative to delinquency; to provide with respect to disposition hearings; to provide that judges shall not base any judgment of disposition of a juvenile on certain factors; and to provide for related matters.

SENATE BILL NO. 602—

BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1139, relative to the Louisiana School Employees' Retirement System; to provide for purchase of service credit for service as "employee" with an out-of-state school board; and to provide for related matters.

SENATE BILL NO. 636—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:153(A), relative to the Louisiana State Employees' Retirement System; to authorize the receipt of service credit for any legislator serving on January 1, 1997, who is a military retiree and a member of the system; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 660—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 14:95(G)(3)(a), relative to offenses affecting the public safety; to provide with respect to the illegal carrying of weapons; to provide for certain exemptions from the prohibition of carrying concealed weapons for active and retired reserve or auxiliary law enforcement officers who are qualified

annually by the Council on Peace Officer Standards and Training; and to provide for related matters.

SENATE BILL NO. 749—

BY SENATOR HAINKEL AND REPRESENTATIVES HEATON, MURRAY AND SCALISE

AN ACT

To enact R.S. 25:318, relative to development funding for the arts and entertainment industry; to create the Louisiana Arts and Entertainment Industry Development Fund as a special fund in the state treasury and to provide for the deposit of certain monies into the fund; to provide for its investment and use; to provide for duties and authorities of the Louisiana Economic Development Corporation; to establish and provide with respect to a program for development and promotion of certain music enterprises; to provide for rulemaking; to provide funding qualification requirements; to provide for annual reports; and to provide for related matters.

SENATE BILL NO. 797 (Duplicate of House Bill No. 1417)—

BY SENATOR BAJOE AND REPRESENTATIVE WINSTON AND COAUTHORED BY SENATORS BARHAM, DEAN, ELLINGTON, FIELDS, HINES, MICHOT, ROMERO, SCHEDLER AND SMITH AND REPRESENTATIVE PEYCHAUD

AN ACT

To enact Children's Code Art. 603.1, relative to abuse of children; to provide for mandatory reporters; to provide for certain educational requirements for teacher certification; and to provide for related matters.

SENATE BILL NO. 840—

BY SENATOR JOHNSON AND REPRESENTATIVE SWILLING

AN ACT

To enact R.S. 9:1123.115.1, relative to condominiums; to provide for the collection of utilities by local governmental entities; to authorize certain sales involving abandoned units; to authorize certain donations of abandoned or blighted property units by municipalities or parishes; and to provide for related matters.

SENATE BILL NO. 868—

BY SENATOR JOHNSON AND REPRESENTATIVE SWILLING

AN ACT

To amend and reenact R.S. 33:9072(D)(1)(a) and (c) and (2), relative to the Lake Forest Estates Improvement District; to provide for a majority approval of any fees or taxes imposed within the district; and to provide for related matters.

SENATE BILL NO. 869—

BY SENATOR JOHNSON AND REPRESENTATIVES LANDRIEU AND SWILLING

AN ACT

To amend and reenact R.S. 40:1261(B) and (D), relative to smoking in the Louisiana Superdome; to prohibit smoking in all areas of the Louisiana Superdome; to provide sanctions for violators; to provide for the promulgation of rules; and to provide for related matters.

SENATE BILL NO. 870—

BY SENATOR JOHNSON AND REPRESENTATIVES RICHMOND AND SWILLING

AN ACT

To amend and reenact R.S. 33:9073.1(B) and (E), relative to the Huntington Park Subdivision Improvement District; to clarify the boundaries of the district; to provide for a majority approval by the electors of the district of any fees or taxes imposed within the district; and to provide for related matters.

SENATE BILL NO. 890—

BY SENATOR HAINKEL AND REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 3:264(C), R.S. 8:61(B) and 675(F), R.S. 15:1155(D), R.S. 18:23(A)(7), R.S. 22:1401(A), R.S. 29:253(A)(2), R.S. 30:121(A), R.S. 33:2006(A), R.S. 34:1702(A), 3104(B)(3) and 3263(B), R.S. 38:2555 and the

introductory paragraph of 3074(A), R.S. 40:600.4(A)(4), 1841(C)(1) and 2451(C), R.S. 48:101(A) and 1092.1, R.S. 49:215(E), R.S. 51:924(A), and R.S. 56:1761(B), relative to confirmation; to remove the Senate reconfirmation required for certain boards and commissions; and to provide for related matters.

SENATE BILL NO. 947—

BY SENATOR SMITH

AN ACT

To enact R.S. 9:275.5, relative to covenant marriage; to provide for limitation of liability for a pastoral counselor; to provide for an exception; and to provide for related matters.

SENATE BILL NO. 969—

BY SENATOR BOISSIERE

AN ACT

To repeal Section 3 of Act 734 of the 1999 Regular Session, relative to written motions; to provide with respect to special motion to strike; to remove certain reporting duties of the Judicial Council relative thereto; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 972—

BY SENATORS BOISSIERE, BAJOE, HAINKEL AND IRONS AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 33:1243(B)(2), relative to maximum penalties; to provide with respect to the maximum penalties that can be imposed by ordinance in certain parishes; to provide with respect to dumping of trash and other substances; to provide with respect to such substances; to provide with respect to places where dumping may be so penalized; and to provide for related matters.

SENATE BILL NO. 983—

BY SENATOR DARDENNE AND REPRESENTATIVES JOHNS AND WALSWORTH

AN ACT

To amend and reenact Children's Code Art. 1015(3); relative to termination of parental rights; to provide for the termination of parental rights of parents who have been convicted of sexually abusing their children; and to provide for related matters.

SENATE BILL NO. 1005—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 33:135.3, relative to the powers and duties of regional planning commissions; to provide for additional powers and duties for certain commissions; and to provide for related matters.

SENATE BILL NO. 1024—

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:40.9(A), and to enact R.S. 56:10(B)(12), relative to the Conservation Fund; to create the enforcement emergency situation response account as a special account in the fund; to provide for the deposit of monies into the account and for the use of such monies for enforcement purposes; and to provide for related matters.

SENATE BILL NO. 1028 (SUBSTITUTE FOR SENATE BILL 321 BY—

BY SENATOR LENTINI AND REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 33:2218.2(C)(8)(d), relative to law enforcement officers; to provide relative to supplemental pay for such persons; to provide for eligibility of certain elected police chiefs to receive such compensation; to provide for an effective date for the initiation of such compensation; and to provide for related matters.

SENATE BILL NO. 1033—
BY SENATOR B. JONES

AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13 and Chapter 5-J of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.71 through 380.76, and R.S. 36:744(U) and 801.14, relative to museums; to establish certain museums; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; to provide for the transfer of such museum to the Department of State; and to provide for related matters.

SENATE BILL NO. 1056—
BY SENATOR HOYT

AN ACT

To amend and reenact the introductory paragraph of R.S. 33:130.562(A)(1), and to enact R.S. 33:130.562(A)(1)(d) and (e), relative to the Vermilion Parish Economic Development District; to provide for additional members to the Vermilion Parish Economic Development District board of commissioners; to provide for appointment of members; and to provide for related matters.

SENATE BILL NO. 1115—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1856(E) and (F)(1)(a)(i) and 1857(B)(2) and Section 2 of Act No. 1149 of the 2001 Regular Session of the Legislature, relative to ad valorem property taxes paid under protest; to provide with regard to credits and refunds of ad valorem property taxes; to provide with regard to the use of certain tax funds; to provide for a special effective date and the application of the Act to certain payment; and to provide for related matters.

SENATE BILL NO. 1121—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 47:1856(E) and 2110(A)(2), and Section 2 of Act No. 1149 of the 2001 Regular Session, relative to ad valorem property tax; to provide with respect to certain ad valorem taxes which are in dispute and payment of such taxes made under protest; to provide for notice in matters where the assessments of certain ad valorem taxes are in dispute and payment of such taxes is made under protest; and to provide for related matters.

Respectfully submitted,
CHRIS ULLO
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Governor

SIGNED SENATE BILLS

June 19, 2003

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bills:

SENATE BILL NO. 120—
BY SENATOR LENTINI AND REPRESENTATIVES ANSARDI AND DAMICO

AN ACT

To amend and reenact R.S. 38:2216(L), relative to public contracts; to provide for circumstances in which a contractor must reimburse a design professional for additional costs for inspections of the contracted project; and to provide for related matters.

SENATE BILL NO. 147—

BY SENATORS SMITH AND MCPHERSON AND REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 38:2251(L) and R.S. 39:1595(K), relative to forestry products; to provide an exception for treated wood poles and piling from preferences for products produced or manufactured in Louisiana; and to provide for related matters.

SENATE BILL NO. 151—

BY SENATOR CAIN AND REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:5108.1(E)(1)(c) and (3)(b) relative to justices of the peace and constables; to provide that justices of the peace and certain constables be indemnified by the state against certain claims or demands seeking damages; and to provide for related matters.

SENATE BILL NO. 207—

BY SENATORS BOISSIERE AND HAINKEL AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 14:27(D)(1) and to enact R.S. 14:27(E), relative to attempted crimes; to provide relative to attempts of certain crimes; to increase penalties for such attempts when the victim is a peace officer; to define peace officer; and to provide for related matters.

SENATE BILL NO. 235—

BY SENATOR DUPRE AND REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 17:1186(B), relative to leaves of absence for teachers; to increase the maximum duration of leave without pay to be granted to certain employees; and to provide for related matters.

SENATE BILL NO. 281—

BY SENATOR BOISSIERE AND REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 11:1307(A)(3), relative to the State Police Pension and Retirement System; to provide with respect to member benefits; to provide with respect to a retirement benefit longevity increase for members who participated in the Deferred Retirement Option Plan on or before June 30, 2003, and who continued in employment after participation in the Deferred Retirement Option Plan without a break in service and who remained in such continuous employment on July 1, 2003; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 303—

BY SENATORS MOUNT AND SCHEDLER AND REPRESENTATIVE KATZ

AN ACT

To amend and reenact Title V of the Children's Code, to be comprised of Articles 501 and 502, 507 through 514, 521 through 526, and 531 through 533; and to repeal Children's Code Article 503, relative to services to families; to provide for the use of multidisciplinary investigative teams as a response to the investigation and disposition of cases of child abuse within each judicial district; to provide for definitions; to provide for the membership of each team; to provide for the development and content of interagency protocols for each team for the investigation of allegations of child abuse; to provide for the qualifications of a forensic interviewer of children; to provide

for the adoption of a confidentiality policy for a multidisciplinary team; to provide for immunity from civil or criminal liability for a team member; to provide for the establishment of child advocacy centers to encourage agency cooperation and to expedite the resolution of abuse allegations; to establish the responsibilities, confidentiality policy and immunity from civil or criminal liability for the child advocacy centers; to revise certain statutory provisions regarding the Children's Advocacy Clearinghouse; and to provide for related matters.

SENATE BILL NO. 304—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Arts. 3603.1(A), 3604(C), 3607.1(A) and (B), and 3610, Code of Criminal Procedure Arts. 29(B), 30, 327.1, 335.1(A), 871.1 and 895(L)(1), R.S. 9:366 and 372(A), R.S. 13:4243(B) and 4248(A) and (C), R.S. 14:79(A)(1) and (2) and (E), R.S. 46:2135(A)(2), 2136(A)(2), 2136.2(A), (B) and (F), the introductory paragraph of 2140, 2140(1) and (2) and to enact R.S. 9:372.1, R.S. 46:1842(9)(d) and 2151(C), all relative to domestic violence; to provide for payment of costs for a peace bond and security for a temporary restraining order or preliminary injunction by a victim of domestic violence; to provide for filing and transmittal of Uniform Abuse Prevention Orders; to provide for the definition of dating violence; to provide for protective order relief relative to possession of the family home; to provide for the duties of law enforcement officers relative to domestic abuse; to provide for injunctions against harassment; to delete certain notice requirements in protective order proceedings; to provide relative to the violation and enforcement of foreign protective orders; and to provide for related matters.

SENATE BILL NO. 323—
BY SENATORS LENTINI, BOISSIERE, CAIN, DARDENNE, ELLINGTON, HEITMEIER, HOLLIS, SCHEDLER AND ULLO AND REPRESENTATIVES SCALISE AND TOOMY

AN ACT

To amend and reenact R.S. 48:279, relative to highways; to provide relative to non-peak hours construction and maintenance work on limited access highways; and to provide for related matters.

SENATE BILL NO. 338—
BY SENATOR CRAVINS AND REPRESENTATIVES BAUDOUIN, HUDSON, LAFLEUR AND PIERRE

AN ACT

To repeal Act No. 35 of the Second Legislature of the Second Session of 1855, Act No. 225 of the Third Legislature of the Second Session of 1857, and Act No. 52 of the Second Session of the Second Legislature of 1867, relative to the town of Grand Coteau; to abolish the legislative charter of the town; to provide that the town shall be subject to the provisions of the Lawrason Act; and to provide for related matters.

SENATE BILL NO. 349—
BY SENATOR HOLDEN

AN ACT

To amend and reenact R.S. 49:308(E)(2)(d) and (e), relative to the deposit of state funds; to exempt the Board of Supervisors of Community and Technical Colleges and its institutions from the requirement of depositing all funds into the state treasury; to make technical changes relative to certain exempt postsecondary entities; and to provide for related matters.

SENATE BILL NO. 359—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 39:1572(B)(4) and to enact R.S. 39:1572(B)(7), relative to central purchasing; to exempt the Louisiana Community and Technical College System from the requirement to conduct procurement through the central purchasing agency; and to provide for related matters.

SENATE BILL NO. 481—
BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:302 (A)(5)(i), relative to the Video Draw Poker Devices Control Law; to provide with respect to the denomination of bills a video draw poker device accepts; and to provide for related matters.

SENATE BILL NO. 502—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 14:43(A)(1), relative to the crime of simple rape; to revise one of a set of circumstances that makes an act of sexual intercourse deemed to be without lawful consent; and to provide for related matters.

SENATE BILL NO. 505—
BY SENATOR DARDENNE AND REPRESENTATIVE LEBLANC

AN ACT

To enact R.S. 49:191(14) and to repeal R.S. 49:191(12)(h), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

SENATE BILL NO. 511—
BY SENATOR C. JONES

AN ACT

To amend and reenact R.S. 40:961(8) and 967(F)(3), relative to controlled dangerous substances; to provide relative to the penalties for possession of GHB (gamma hydroxybutyric acid) and analogues of GHB to eliminate inaccurate references to Schedule II(D)(2); to provide relative to the definition of a controlled substance analogue; and to provide for related matters.

SENATE BILL NO. 552—
BY SENATOR C. JONES

AN ACT

To amend and reenact Children's Code Art. 903(A), relative to delinquency; to provide with respect to disposition hearings; to provide that judges shall not base any judgment of disposition of a juvenile on certain factors; and to provide for related matters.

SENATE BILL NO. 602—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:1139, relative to the Louisiana School Employees' Retirement System; to provide for purchase of service credit for service as "employee" with an out-of-state school board; and to provide for related matters.

SENATE BILL NO. 636—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:153(A), relative to the Louisiana State Employees' Retirement System; to authorize the receipt of service credit for any legislator serving on January 1, 1997, who is a military retiree and a member of the system; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 660—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 14:95(G)(3)(a), relative to offenses affecting the public safety; to provide with respect to the illegal carrying of weapons; to provide for certain exemptions from the prohibition of carrying concealed weapons for active and retired reserve or auxiliary law enforcement officers who are qualified

annually by the Council on Peace Officer Standards and Training; and to provide for related matters.

SENATE BILL NO. 749—

BY SENATOR HAINKEL AND REPRESENTATIVES HEATON, MURRAY AND SCALISE

AN ACT

To enact R.S. 25:318, relative to development funding for the arts and entertainment industry; to create the Louisiana Arts and Entertainment Industry Development Fund as a special fund in the state treasury and to provide for the deposit of certain monies into the fund; to provide for its investment and use; to provide for duties and authorities of the Louisiana Economic Development Corporation; to establish and provide with respect to a program for development and promotion of certain music enterprises; to provide for rulemaking; to provide funding qualification requirements; to provide for annual reports; and to provide for related matters.

SENATE BILL NO. 797 (Duplicate of House Bill No. 1417)—

BY SENATOR BAJOE AND REPRESENTATIVE WINSTON AND COAUTHORED BY SENATORS BARHAM, DEAN, ELLINGTON, FIELDS, HINES, MICHOT, ROMERO, SCHEDLER AND SMITH AND REPRESENTATIVE PEYCHAUD

AN ACT

To enact Children's Code Art. 603.1, relative to abuse of children; to provide for mandatory reporters; to provide for certain educational requirements for teacher certification; and to provide for related matters.

SENATE BILL NO. 840—

BY SENATOR JOHNSON AND REPRESENTATIVE SWILLING

AN ACT

To enact R.S. 9:1123.115.1, relative to condominiums; to provide for the collection of utilities by local governmental entities; to authorize certain sales involving abandoned units; to authorize certain donations of abandoned or blighted property units by municipalities or parishes; and to provide for related matters.

SENATE BILL NO. 868—

BY SENATOR JOHNSON AND REPRESENTATIVE SWILLING

AN ACT

To amend and reenact R.S. 33:9072(D)(1)(a) and (c) and (2), relative to the Lake Forest Estates Improvement District; to provide for a majority approval of any fees or taxes imposed within the district; and to provide for related matters.

SENATE BILL NO. 869—

BY SENATOR JOHNSON AND REPRESENTATIVES LANDRIEU AND SWILLING

AN ACT

To amend and reenact R.S. 40:1261(B) and (D), relative to smoking in the Louisiana Superdome; to prohibit smoking in all areas of the Louisiana Superdome; to provide sanctions for violators; to provide for the promulgation of rules; and to provide for related matters.

SENATE BILL NO. 870—

BY SENATOR JOHNSON AND REPRESENTATIVES RICHMOND AND SWILLING

AN ACT

To amend and reenact R.S. 33:9073.1(B) and (E), relative to the Huntington Park Subdivision Improvement District; to clarify the boundaries of the district; to provide for a majority approval by the electors of the district of any fees or taxes imposed within the district; and to provide for related matters.

SENATE BILL NO. 890—

BY SENATOR HAINKEL AND REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 3:264(C), R.S. 8:61(B) and 675(F), R.S. 15:1155(D), R.S. 18:23(A)(7), R.S. 22:1401(A), R.S. 29:253(A)(2), R.S. 30:121(A), R.S. 33:2006(A), R.S. 34:1702(A), 3104(B)(3) and 3263(B), R.S. 38:2555 and the

introductory paragraph of 3074(A), R.S. 40:600.4(A)(4), 1841(C)(1) and 2451(C), R.S. 48:101(A) and 1092.1, R.S. 49:215(E), R.S. 51:924(A), and R.S. 56:1761(B), relative to confirmation; to remove the Senate reconfirmation required for certain boards and commissions; and to provide for related matters.

SENATE BILL NO. 947—

BY SENATOR SMITH

AN ACT

To enact R.S. 9:275.5, relative to covenant marriage; to provide for limitation of liability for a pastoral counselor; to provide for an exception; and to provide for related matters.

SENATE BILL NO. 969—

BY SENATOR BOISSIERE

AN ACT

To repeal Section 3 of Act 734 of the 1999 Regular Session, relative to written motions; to provide with respect to special motion to strike; to remove certain reporting duties of the Judicial Council relative thereto; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 972—

BY SENATORS BOISSIERE, BAJOE, HAINKEL AND IRONS AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 33:1243(B)(2), relative to maximum penalties; to provide with respect to the maximum penalties that can be imposed by ordinance in certain parishes; to provide with respect to dumping of trash and other substances; to provide with respect to such substances; to provide with respect to places where dumping may be so penalized; and to provide for related matters.

SENATE BILL NO. 983—

BY SENATOR DARDENNE AND REPRESENTATIVES JOHNS AND WALSWORTH

AN ACT

To amend and reenact Children's Code Art. 1015(3); relative to termination of parental rights; to provide for the termination of parental rights of parents who have been convicted of sexually abusing their children; and to provide for related matters.

SENATE BILL NO. 1005—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 33:135.3, relative to the powers and duties of regional planning commissions; to provide for additional powers and duties for certain commissions; and to provide for related matters.

SENATE BILL NO. 1024—

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:40.9(A), and to enact R.S. 56:10(B)(12), relative to the Conservation Fund; to create the enforcement emergency situation response account as a special account in the fund; to provide for the deposit of monies into the account and for the use of such monies for enforcement purposes; and to provide for related matters.

SENATE BILL NO. 1028 (SUBSTITUTE FOR SENATE BILL 321 BY—

BY SENATOR LENTINI AND REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 33:2218.2(C)(8)(d), relative to law enforcement officers; to provide relative to supplemental pay for such persons; to provide for eligibility of certain elected police chiefs to receive such compensation; to provide for an effective date for the initiation of such compensation; and to provide for related matters.

SENATE BILL NO. 1033—
BY SENATOR B. JONES

AN ACT

To enact Chapter 5-I of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.61 through 380.66, and R.S. 36:744(T) and 801.13 and Chapter 5-J of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.71 through 380.76, and R.S. 36:744(U) and 801.14, relative to museums; to establish certain museums; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; to provide for the transfer of such museum to the Department of State; and to provide for related matters.

SENATE BILL NO. 1056—
BY SENATOR HOYT

AN ACT

To amend and reenact the introductory paragraph of R.S. 33:130.562(A)(1), and to enact R.S. 33:130.562(A)(1)(d) and (e), relative to the Vermilion Parish Economic Development District; to provide for additional members to the Vermilion Parish Economic Development District board of commissioners; to provide for appointment of members; and to provide for related matters.

SENATE BILL NO. 1115—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 47:1856(E) and (F)(1)(a)(i) and 1857(B)(2) and Section 2 of Act No. 1149 of the 2001 Regular Session of the Legislature, relative to ad valorem property taxes paid under protest; to provide with regard to credits and refunds of ad valorem property taxes; to provide with regard to the use of certain tax funds; to provide for a special effective date and the application of the Act to certain payment; and to provide for related matters.

SENATE BILL NO. 1121—
BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 47:1856(E) and 2110(A)(2), and Section 2 of Act No. 1149 of the 2001 Regular Session, relative to ad valorem property tax; to provide with respect to certain ad valorem taxes which are in dispute and payment of such taxes made under protest; to provide for notice in matters where the assessments of certain ad valorem taxes are in dispute and payment of such taxes is made under protest; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,
MICHAEL S. BAER, III
Secretary of the Senate

Message from the House**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

June 19, 2003

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 52—

BY REPRESENTATIVE GARY SMITH
AN ACT

To enact R.S. 29:732.1, relative to states of emergency; to prohibit telemarketing activity during a declared state of emergency; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 71—

BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:443.1(B), 443.2(7), 444(I), 445(A)(3) and (4), and 464(C)(4), relative to committees of recognized political parties; to provide with respect to the applicability of provisions of law relative to the establishment, composition, apportionment, and election of, qualifying fees for, and vacancies on such committees; to provide with respect to the number and apportionment of state central committees; and to provide for related matters.

HOUSE BILL NO. 133—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 36:801.1(A) and 803(A), R.S. 44:5(A), and R.S. 49:191(13)(c) and 968(B)(1), to enact R.S. 36:4.1(G), and to repeal R.S. 36:4.1(B)(2), relative to economic development; to provide for the transfer of certain licensing agencies; to provide relative to public records; to provide for the termination of certain state entities; to provide for the review of agency rules; to provide for the transfer of the Louisiana State Racing Commission; and to provide for related matters.

HOUSE BILL NO. 429—

BY REPRESENTATIVE PITRE
AN ACT

To enact R.S. 23:291(D), relative to disclosure of employment information; to provide employers with immunity from civil liability under certain circumstances; to provide the definition of "owners"; and to provide for related matters.

HOUSE BILL NO. 591—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 18:102, relative to persons ineligible to register to vote; to provide for the eligibility of a person convicted of a felony prior to adoption of the 1974 Constitution of Louisiana who has fully satisfied and completed his sentence to register to vote and vote; and to provide for related matters.

HOUSE BILL NO. 841—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 22:212(7)(c), relative to health and accident insurance; to provide relative to the method of delivery of health and accident insurance policies to policyholders by insurers or agents; and to provide for related matters.

HOUSE BILL NO. 883—

BY REPRESENTATIVE BROOME
AN ACT

To amend and reenact R.S. 33:2870, 2891.4, 4720.16(C), and 4720.30(C) and to enact R.S. 33:2881, 4720.16(D), and 4720.29(D), relative to the post-adjudication sale or donation of adjudicated property; to authorize the purchaser or donee of such property to record an affidavit relative to notice procedures; to provide relative to the cancellation of encumbrances recorded against such property and to require the clerks of court to cancel encumbrances recorded against such property; to exempt such property from certain provisions governing the transfer of property acquired by the state or political subdivisions; and to provide for related matters.

HOUSE BILL NO. 941—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 48:255.2, relative to public contracts of the Department of Transportation and Development; to provide relative to the performance of surety companies when a contractor defaults; to reduce the time allowed for a surety company to respond to notification of a contractor's default; and to provide for related matters.

HOUSE BILL NO. 964—

BY REPRESENTATIVES LEBLANC, ALEXANDER, BAUDOIN, PIERRE, AND PINAC

AN ACT

To amend and reenact Section 3(A) of Act No. 38 of the 1974 Regular Session of the Legislature, as amended by Act No. 673 of the 1977 Regular Session of the Legislature, Act No. 940 of the 1981 Regular Session of the Legislature, Act No. 939 of the 1986 Regular Session of the Legislature, and Act No. 40 of the 1989 Regular Session of the Legislature, relative to the taxes levied by the governing authority of Lafayette Parish upon the occupancy of hotel rooms and overnight camping facilities within the parish, the proceeds of which are used to support the Lafayette Parish Convention and Visitors Commission; to provide that the amount of such taxes shall not exceed four percent of the rent or fee charged for such occupancy; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 968—

BY REPRESENTATIVES ARNOLD AND TUCKER

AN ACT

To amend and reenact R.S. 33:2740.27(D)(introductory paragraph), (1), and (2), relative to the Algiers Development District; to provide relative to the membership of the board of commissioners; to provide relative to the qualifications, appointment, and service of board members; and to provide for related matters.

HOUSE BILL NO. 1016—

BY REPRESENTATIVES DEVILLIER AND HEATON

AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a)(introductory paragraph), relative to eligibility for intensive parole supervision under the supervision of the Department of Public Safety and Corrections; to provide for eligibility of persons convicted of certain controlled dangerous substances; and to provide for related matters.

HOUSE BILL NO. 1100—

BY REPRESENTATIVES THOMPSON, BRUCE, DOERGE, GLOVER, HAMMETT, HUNTER, KENNEY, McDONALD, MONTGOMERY, SALTER, TOWNSEND, AND WALSWORTH AND SENATORS ADLEY, BEAN, MALONE, AND TARVER

AN ACT

To amend and reenact R.S. 17:1519(5) and 3215(6)(b), to enact R.S. 17:1518, and to repeal R.S. 17:1519.1(B)(4), relative to E.A. Conway Medical Center; to merge the E.A. Conway Medical Center, its funds, property, records, obligations, functions, and employees with the Louisiana State University Health Sciences Center at Shreveport; and to provide for related matters.

HOUSE BILL NO. 1108—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 37:3372(3), (9), (10), and (11), 3375(B), 3376(G)(2), 3379(A)(6), and 3383 and to enact R.S. 37:3372(12) and 3376(G)(3), relative to mental health professionals; to revise the qualifications to become a compulsive gambling counselor; and to provide for related matters.

HOUSE BILL NO. 1190—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:1083(6), 1087(B)(1), (10), and (C), 1088(F)(5), 1089(A)(1) and (B)(1) and (2), 1090(B)(2)(introductory paragraph) and (3), 1091(C)(1), 1096(G), 1097(B)(introductory paragraph), and 1099(B), to enact R.S. 6:1086(C), 1090(B)(4), 1092(J), 1094(G), and 1096(I), and to repeal R.S. 6:1087(D) and 1092(D), relative to residential mortgage lending activities; to expand the definition of originator; to provide for and eliminate licensing exemptions; to provide for licensing qualifications; to define acquisition or control of a licensee; to allow the commissioner to disseminate information; to provide for licensing of previously exempt person; to prohibit and punish certain practices; and to provide for related matters.

HOUSE BILL NO. 1284—

BY REPRESENTATIVES TOOMY, ANSARDI, CAPELLA, DAMICO, LANCASTER, MARTINY, AND SNEED

AN ACT

To amend and reenact R.S. 13:2562.24(D) and to enact R.S. 13:2562.24(E), relative to the First and Second Parish Courts of Jefferson Parish; to authorize the Jefferson Parish Council and the judges of the courts to provide for a security service charge fee on each filing in the First and Second Parish Courts of Jefferson Parish; to authorize the fee to be used to defray the cost of the purchase, operation, and maintenance of courtroom security devices; to authorize any excess in fees generated to be used to defray the cost of other judicial equipment, facilities, building new facilities, or payment of any bond indebtedness; and to provide for related matters.

HOUSE BILL NO. 1297—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 47:1577, relative to state tax obligations constituting a lien, privilege, and mortgage; to provide that state tax lien, privilege, and mortgage arise at the time the tax is assessed; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1327—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 30:560 and 561, relative to pipeline safety inspection fees; to provide relative to the collection and amounts of such fees; to provide relative to persons responsible for paying such fees; and to provide for related matters.

HOUSE BILL NO. 1328—

BY REPRESENTATIVES PINAC AND NEVERS

AN ACT

To enact Chapter 24-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2181 through 2192, relative to licensing; to provide for licensing for persons who perform mold remediation services; to provide relative to the State Licensing Board for Contractors; to provide for a purpose and scope; to provide for definitions; to provide for the board's powers and duties; to provide for qualifications, applications, and fees; to provide for exceptions; to provide relative to written reports; to prohibit certain activities; to provide for license renewals; to provide for administrative actions and penalties; to provide for cease and desist orders and injunctive relief; and to provide for related matters.

HOUSE BILL NO. 1460—

BY REPRESENTATIVES TOOMY, CAPELLA, R. CARTER, DARTEZ, FAUCHEUX, GALLOT, HEATON, M. JACKSON, AND WELCH

AN ACT

To amend and reenact R.S. 26:932(5) and (7), 933(B)(introductory paragraph) and (C)(7), 934(5), 935(A), (B)(1)(a) and (2), and (C), and 939 and to enact R.S. 26:932(8) and (9), relative to the

Responsible Vendor Program; to include the serving or selling of tobacco products in the program; to include holders of Retail Dealer Registration Certificates and Retail Dealer Permits in the program; to provide for definitions; to provide for suspension or revocation of a server's permit for selling or serving tobacco products to an underage person; to provide for exceptions to the suspension or revocation of a vendor's permit; and to provide for related matters.

HOUSE BILL NO. 1656—

BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 23:1121(B), relative to workers' compensation; to provide for the selection of a treating physician; and to provide for related matters.

HOUSE BILL NO. 1718—

BY REPRESENTATIVES ANSARDI, TOOMY, AND TUCKER

AN ACT

To amend and reenact R.S. 34:2021(D), 2022(A), (C)(2)(introductory paragraph), and (I), 2024, 2027, and 2028 and R.S. 41:1217(2)(a) and (b) and to enact R.S. 34:2022(K) and 2033 through 2036, relative to port authorities; to provide for rights and powers; to provide for sale of bonds; to provide for right of expropriation; to provide for general compliances; to create and provide for additional economic development; to create and provide for additional powers; to create and provide for revenue bonds; to provide for thirty-year lease extensions for persons making certain improvements on leased public land; to provide extension for persons prepaying certain rental payments; and to provide for related matters.

HOUSE BILL NO. 1839—

BY REPRESENTATIVES BAYLOR AND L. JACKSON

AN ACT

To enact Children's Code Article 423(C)(6), relative to the authority of hearing officers in juvenile court; to authorize hearing officers to hear and make recommendations on all restraining orders filed in accordance with Children's Code Articles 1569 and 1570; and to provide for related matters.

HOUSE BILL NO. 1981—

BY REPRESENTATIVES MARTINY AND CAPELLA

AN ACT

To enact R.S. 14:106.2, relative to offenses affecting the general peace and order; to prohibit the engaging of certain sexual acts in public; to provide for criminal penalties; and to provide for related matters.

HOUSE BILL NO. 2009 (Substitute for House Bill No. 1012 by Representative Devillier)—

BY REPRESENTATIVE DEVILLIER

AN ACT

To enact R.S. 40:962.1.1, relative to the Uniform Controlled Dangerous Substances Law; to provide for the crime of possession of twelve grams or more of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts; to provide for penalties; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 2017 (Substitute for House Bill No. 641 by Representative Winston)—

BY REPRESENTATIVES WINSTON AND SCHNEIDER

AN ACT

To amend and reenact R.S. 15:587(B) and to enact R.S. 15:587.1(H), relative to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to the duty to provide information; to provide that licensed child placement agencies and persons authorized to conduct preplacement home studies shall have access to criminal history information on certain persons; to provide for fingerprinting services by such bureau

under certain circumstances; to authorize fees for such services; and to provide for related matters.

HOUSE BILL NO. 1103—

BY REPRESENTATIVE FRUGE

AN ACT

To amend and reenact R.S. 9:4753, relative to privileges; to provide for the lien on proceeds recovered on account of injuries; to provide for the requirements necessary to effectuate the lien; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Adjournment

Senator Lambert moved that the Senate adjourn until Friday, June 20, 2003, at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Friday, June 19, 2003.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk